Aspects of Power and Authority in the Middle Ages

INTERNATIONAL MEDIEVAL RESEARCH

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Aspects of Power and Authority in the Middle Ages

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Introduction

Concepts of power and authority underlie most aspects of medieval life and culture. Authority may be understood as the generally accepted justification for action and power as the practical ability to induce others to obey or follow a lead. In the most traditional kind of top-down political history, the claim to authority and the capacity to command obedience would have been understood as attributes of kings and powerful nobles, though even with this limited view it would have been necessary to allow for the claims of the papacy and ecclesiastics to an authority independent of and superior to that of lay lordship. Historical and literary study over the last half-century, influenced by other disciplines such as law, political theory, and above all anthropology has produced a much broader understanding of what constitutes both authority and power. Authority is what gives the justification for action and can be of either worldly or otherworldly origin. It would thus include royal authority which was conceived to be divinely sanctioned, or the generally accepted authority of other traditional lords, based on hereditary right, but also the claims of collective bodies that were believed to have a representative character. It included the institutional church whose claims to authority derived from the Scriptures and succession to the apostles, but also individuals or groups whose claims to be heard derived from the holiness of their lives or their perceived direct relationship to God. Authority derived not only from legal codes which were believed to reflect eternal principles of law and to have been 'found' rather than 'made', but also from charters and other documents guaranteeing specific rights and privileges and issued by those enjoying generally recognized political authority or proprietary rights.

Power, the effective exercise of influence over others, is also now understood much more broadly. It certainly included the use of military force and violence and other means of compulsion. For both secular powers and the institutional

church it also increasingly involved the creation and manipulation of a governmental apparatus to oversee central and local administration. Neither military force nor governmental institutions could hope to be effective without resources in landed wealth and liquid funds to support them. But there was much more to the effective exercise of power than this, as is shown by the difficulties many rulers in church and state experienced in retaining the loyalty even of men they themselves had promoted and rewarded. Scholars now look at more subtle aspects of the exercise of power, such as diplomacy, the formation of groups of supporters by grants and gifts, and persuasion through sermons or literature and works of art. They also look at the exercise of power by nontraditional groups, such as the peasantry and the humbler inhabitants of towns, the lesser clergy and marginal, sometimes heretical, religious groups, and above all women, who might rarely be able to claim authority as rulers, but who could often exercise a degree of influence that may fairly be called power through their family connections, the wealth and property at their disposal, their claims to holiness of life, or their political or cultural patronage. Conversely, women who were the heirs to kingdoms or fiefs might have authority but be expected to leave the actual exercise of power to male relatives, whether husbands or sons.

The relationship of power and authority was fundamental in the Middle Ages, since power without authority was little more than brute force, while claims to authority without the power to make them effective were in the long run unsustainable. Even those who had acquired power or property by force would seek justification or recognition of their new acquisitions. This might be done by seeking authorization from a generally recognized higher authority or by propaganda and image-making, while those with claims to authority that they were having difficulty enforcing would seek the support of networks of kin and friends and allies, or might base their claims on the supernatural or superior knowledge or urge the moral superiority of poverty. The relationship of Power and Authority is considered in this volume under three main headings, 'Image-making', 'Informal Influence', and 'The Power of Words'.

I. Image-Making

Image-making was important to those trying to impress on their audience a particular view of themselves or their family or their authority as they wished them to be perceived. Issues of power and authority were especially acute in the case of rulers who were attempting to establish new dynasties, particularly when

those rulers came from outside and had only tenuous connections with the previous regime. These problems are considered in this volume with regard to Charles of Anjou as ruler of the Regno of Sicily and southern Italy and Cnut (Knútr) and William the Conqueror as kings of England. In fact, since all three rulers had obtained their new kingdoms by conquest and were accompanied by powerful groups of military followers who had not only benefited from the establishment of the new dynasty but who also had every interest in ensuring the permanence of the new regime, the problems were more those of authority than of power. Any one of these rulers might have based his claim to rule on the right of conquest, by making use of the widely shared belief that major and decisive military victory could only have been achieved through divine favour and was in itself an indication that it was God's will that they should be ruler of their respective kingdoms. In fact, all three sought other justifications for their newly acquired position.

Jean Dunbabin considers these problems primarily from the point of view of the king himself, discussing the advantages and disadvantages of the various claims to authority in the Sicilian kingdom that Charles I might make. Chris Dennis considers the rule of Cnut and of William the Conqueror in England less from the point of view of the King than from the point of view of those, both Anglo-Saxon and Norman, who wrote about them. Although both rulers owed their acquisition of England to military conquest just as Charles of Anjou did in Sicily, like Charles they sought to legitimize their position by other claims, associating themselves with pre-existing royal traditions and above all through conspicuous acts of generosity toward the Church. The portrayal of William and his rule in England in near-contemporary accounts can be illuminating for the way he was regarded by various categories of subjects. The earliest Norman accounts, those of William of Jumièges and William of Poitiers, which served as sources for later writers, probably reflected the official version of events and aimed to justify the conquest. William the Conqueror is therefore portrayed as the perfect Christian prince, a pious protector of churches, victorious, prudent, and merciful, a man destined to become a king. The writers of the two contemporary manuscripts of the *Anglo-Saxon Chronicle* naturally saw things very differently and presented William as a ruthless, sacrilegious, and greedy plunderer. But they were also impressed with his power and magnificence, describing him as wiser, more powerful, and stronger than any of his predecessors, but also as so stern and violent that no one dared to contravene his will.

The reference to William's predecessors indicates an important element in the authority of any king by conquest, and that is the state of the kingdom when he

acquired it. Charles of Anjou was able to present himself, at least in propaganda terms, as offering relief to his new Sicilian subjects from the oppression they had suffered under Frederick II and Manfred and promising a return to the good old practices of the Norman kings of Sicily. It was fundamental to William's claim to the throne that Harold had been a usurper and an oath-breaker, but as Harold had ruled for only nine months, William was essentially the successor of Edward the Confessor. Since William claimed to be Edward's natural successor, Edward's regime could hardly be criticized and in any case Edward seems to have been popular, his rule providing an interlude of relative peace compared to what went before and what came after. Chris Dennis brings out the importance of this by comparing William's situation with that of Cnut. As a Danish conqueror of pagan background who had made himself king with great violence and destruction, Cnut would seem to have every quality to make him generally hated by the Anglo-Saxons. Yet the chronicler rarely criticizes him and by the twelfth century he was lauded for his efforts to reconcile the Anglo-Saxons and transform himself into a Christian king. Cnut benefited from the weaknesses of his Anglo-Saxon predecessor, Æthelred, whose total failure to organize any resistance against the Danes and fulfil the obligations of lordship exposed the country to two decades of plunder and anarchy. William, succeeding the popular and peaceable Edward, aroused fear and resentment, though also awe and a growing feeling that foreign conquest might be divinely willed as a punishment for the sins of the English.

It is indicative of the inherent problems of authority for rulers whose position derived from conquest that, however different thirteenth-century southern Italy may have been from eleventh-century England, the authors of these two essays reach very similar conclusions. As Jean Dunbabin puts it, 'the problem for conquerors is that universal acquiescence in their rule has to be their goal', a goal that Charles of Anjou unsurprisingly failed to achieve, and although he succeeded in passing on his conquests to his successors, at least in part, they had to work out new and different ways of presenting themselves. In similar vein, Chris Dennis concludes that William the Conqueror never successfully reconciled the Anglo-Saxons to his rule and that the 'gap' between the King and his subjects was greater than it had been in Edward the Confessor's time, although he too passed on his conquests to his successors and established a style of rule on which, for better or for worse, they were able to build.

Chris Dennis addresses the problem of the authority and reputation of Cnut and William the Conqueror primarily on the basis of written texts. Gale Owen-Crocker discusses similar topics on the basis of the visual images presented in the Bayeux Tapestry, which, whatever the precise circumstances of its commissioning

and execution, told the story of the brief reign of Harold Godwinesson and his defeat and death at the hands of William the Conqueror from the Norman point of view. The frieze is primarily a narrative of events with a succinct commentary in Latin, but propaganda points could be made graphically by the actions, gestures, and dress of the protagonists. Most obviously Normans were distinguished from the English and individuals were identified by their costume and accoutrements, but much more subtle points could also be made. Thus when Harold is captured by Count Guy of Ponthieu, Guy is portrayed in the culottes characteristic of the Normans in the tapestry, while Harold is distinguished from his followers by his costume and in one scene wears a cloak and carries a hawk on his wrist, making it clear that, however vulnerable his position, he was a distinguished foreigner and a potentially lucrative prize as a prisoner. In the scenes that depict Harold before Duke William the high status of both is indicated by the richness of their dress, but the Duke's superior power and authority is established by his frontal seated position clad in long robes and cloak, the conventional indicators of rulership, as Harold is transformed from prisoner to vassal by the acceptance of arms and the swearing of an oath, in accordance with the Norman version of events. When Harold is himself crowned king in England, he is presented in typical royal fashion, seated frontally high on a throne, holding orb and sceptre and wearing a crown, long robes, and centrally fastened cloak, but prominent beside him, and labelled to prevent any mistake, is Archbishop Stigand, whose irregular position was an important factor in enabling William to obtain papal support for his expedition. In the scene in which the appearance of Halley's Comet foretells William's invasion Harold retains some of the royal accoutrements, but his twisted body and awkward pose combined with the relative shortness of his robe convey the horror which the comet's appearance inspired in him, and rob him of dignity. If, as Gale Owen-Crocker suggests, the Bayeux Tapestry originally had a final scene, now lost, showing William crowned as King of England, matching and echoing the depiction of Edward the Confessor splendidly dressed and enthroned at the beginning, it would have very effectively made the Norman propaganda point that England was again under its rightful king, a brief attempt at usurpation having been successfully overcome.

Those responsible for the design and execution of the Bayeux Tapestry succeeded in conveying subtle interpretations of authority through their depiction of stylized actions, gestures, and high-status 'power-dressing'. Far less subtle and more obvious was a new 'ostentation' in family chapel architecture and a hitherto unseen form of heraldic display in late-thirteenth- and early-fourteenth-century Rome where local clan rivalries between Colonna, Savelli, and Capocci were being

played out on the Capitoline Hill. While *campanilismo* remained the most obvious architectural feature of the period, with nobles vying to gain recognition of their power and status by building towers beside their palaces, Claudia Bolgia turns to visual and technical evidence to show that the Roman nobility treated their private chapels as they did their towers, competing to raise them ever higher and embellishing them with distinctive coats of arms and other heraldic emblems. At the Franciscan Church of S. Maria in Aracoeli, where the Colonna family had acquired the right to construct a discrete family oratory in one chapel, its vault quite literally dominated the aisle of the main church. The Savelli oratory in the south transept of the same church reached similar lofty heights but this family managed to outdo even the Colonna by occupying a prime position directly opposite the *ara coeli* or most revered altar of the eponymous church. While their towers were to prove notoriously easy to destroy, the soaring family chapels of the Roman nobility, protected by the Franciscan order, became alternative and, as it turned out, far more enduring architectural symbols of authority. The ostentation — and it could be described as nothing less — was enhanced by numerous decorative shields and heraldic symbols, captured in paint or in mosaic, and covering every possible surface in a new and fashionable image-making phenomenon of power.

Image-making in medieval Rome was, however, by no means the sole prerogative of a small group of nobles engaged in competitive building campaigns and enjoying ecclesiastical permission to display their newly fashionable coats of arms. Occasionally, even a venerable institution such as the papacy found it necessary to appropriate powerful images to bolster its traditions, although the validity of the images used might be somewhat dubious. One such moment occurred in the mid to late twelfth century, while the Constantinian foundations of the Lateran, Rome's cathedral, and of St Peter's, sheltering the tomb of the apostle, waged a vigorous war of propaganda as to which of them held the more significant relics. Marie Thérèse Champagne highlights the means by which the Lateran, with papal backing, made good its claim to possess the treasures from Jerusalem which had been captured by the Romans following the destruction of the Temple in A.D. 70. These treasures were supposed to include the Ark of the Covenant and Moses' Rod and while the Lateran tradition was to insist that they were preserved as sacred relics within its High Altar, some polemical writers had ventured to raise doubts about their actual presence there. In order to strengthen and revitalize the perception of this and other aspects of the Church's Jewish heritage, serious scholarly texts were composed with papal authorization. One of these renamed the pope's private chapel as the *Sancta sanctorum*, the Holy of

Holies of the Old Testament, while narrative scenes in mosaic on the now lost Lateran portico relating to the destruction of Jerusalem were commissioned to reinforce the legend. The focus was thus on powerful image-making — the Lateran as the cathedral of Rome, *caput et mater*, head and mother of all churches, and direct successor of the Temple by virtue of its custody of the treasures. The Church of Rome meanwhile stood to gain by the articulation of papal claims to possess the fullness (*plenitudo*) of the Old and New Covenants and, in particular, a wider authority (*latitudo*) as the direct heir to the Church of Jerusalem.

II. Informal Influence

Power was not limited to popes, rulers, or those acting for them and did not have to be exercised by formal means or deliberate propaganda. Power could also be exerted less formally or perhaps informally and was thus accessible to groups who had no traditional claim to authority over others, such as female members of ruling dynasties, clerics from those of highest birth to humble parish priest, and even laymen in their guise of crusaders.

One important aspect of power and authority is the question of whether and in what circumstances either or both might be exercised by women. Among women who might hope to enjoy power and authority queens and heiresses to great feudal principalities form a special category, though there was a tendency to assume that while inherited authority might fall to a woman in such cases, effective power would be exercised by her husband, son, or some other male relative whose position was legitimated by his connection with her. The question of the power and authority of queens is discussed in this volume in two essays that relate to the Iberian Peninsula in the later Middle Ages, Bethany Aram on queens regnant in Castile and Ana Maria Rodrigues on queens consort in Portugal. In neither kingdom was there any reason in principle why women should not become queen in their own right; they could in theory both inherit the throne themselves and transmit inheritance rights to their descendants. In practice there were many obstacles and their claims were likely to be challenged by some of their closest male relatives, often supported by their leading subjects who shared the contemporary prejudice against women as rulers. When it began to look likely that the throne would fall to daughters, their parents took measures to deal with the problems this was seen as presenting, arranging marriages for them, less so that they would have someone to support their claims than that they would have someone who could rule in their name. Bethany Aram argues that maternity,

especially the bearing of a son, which was a source of strength to a queen consort, could weaken the position of a queen-regnant, since it raised the expectation that she would transfer the throne to him. When Isabel, half-sister of Enrique IV of Castile, claimed the succession in 1468, she had to steer between the experience of Urraca, who had claimed the throne in her own right but left a reputation for sexual licence, and Berenguela, who was regarded as a model of piety and chastity, but had conferred her claim on her seventeen-year old son. Until 1478 Isabel had only daughters, a factor that enabled her to consolidate her own claims to the throne, since recognition of the rights of her daughter involved recognition of her own rights. When she did finally produce a male heir she staged an elaborate presentation of the child at the Cathedral of Seville and took the central role with rituals that attempted to identify her with the Virgin Mary at the Presentation in the Temple and downplay the role of her husband Fernando in the kingdom of Castile, to which he had a claim of his own. Isabel's eventual heiress, her daughter Juana, found it much more difficult to assert her own rights at the expense of her husband, Philip Archduke of Austria, and found herself at the centre of a struggle for control between her husband and her mother, which in part revolved around ceremonies staged to mark the births of her two sons. An eventual compromise in 1506 saw Juana receive homage as legitimate ruler with Philip as king consort, with her eldest son recognized as her lawful successor and Philip as 'king and proprietary ruler of the said kingdoms'. Circumstances later enabled this son, Charles, also to ignore her rights, and Bethany Aram concludes that marriage and motherhood led to a curtailment of Juana's authority, not its enhancement.

While women might in theory inherit and transmit royal authority in Portugal as in Castile, no woman in the Middle Ages succeeded in doing so. The only two who attempted to claim the throne were quickly removed by male relatives, supported by large sections of the nobility. Similar problems were encountered by queens who tried to rule as regents for their children, even in cases like that of Leonor of Aragon, who had been named regent in the will of her husband Duarte (1438). Queens consort were obviously in a somewhat different position. They had no power as such, but might exercise a more informal influence through their relationship with their husbands, their connections with their own families, and the resources of patronage at their disposal. Virtually all medieval Portuguese queens either came from Portugal itself or from other kingdoms of the Iberian Peninsula and were chosen for some political advantage. This carried the risk that they might become an embarrassment if circumstances changed or if they were suspected of supporting the interests of their kingdom of origin at the expense of those of Portugal. When they had children, queens were involved in their

education, negotiating their marriages, and perhaps intervening when their sons were at odds with their husbands. Queens were expected to be personally pious, patrons of the church, religious houses, and charities, and also patrons of literature and the arts. They were able to fulfil these functions because they brought with them a dowry from their own family and had a dower in landed property settled on them by their husbands, as a source of income and patronage. The authority that the queens enjoyed in these territories was the ordinary seigneurial power of commanding, judging, punishing, and taxing the inhabitants, such as any lord enjoyed. They had no additional powers or resources exclusively reserved to the spouses of the sovereign and beyond the reach of other lords, and all their powers derived from specific grants and concessions made to them by the king.

It is instructive in this context to look at another queen consort, Matilda of Boulogne, King Stephen of England's wife. The Anarchy, the period of civil war in England from 1135 to 1153, was dominated by the rival claims of King Stephen and Empress Matilda, Henry I's daughter, in which the Empress experienced many of the problems and prejudices encountered by female claimants to the throne in Castile. Patricia Dark, however, concentrates instead on the Empress's namesake, Matilda of Boulogne, Stephen's queen. Although she was linked to the kingdom of Scotland and the Old English monarchy through her mother, she had no claim to the throne in her own right, and concentrated her efforts on support of the cause of her husband as king, thus giving no cause for criticism or opposition to her political activity and earning praise for her loyalty and resolution. As heir of her father, Count Eustace III, she, and through her, King Stephen, was the ruler of an independent county on the Continent and the powerful Honour of Boulogne in England, concentrated in Essex and south-eastern England, thus making it possible for the royal couple to control trade with the Continent and tap the financial resources deriving from it, which were so essential to their cause. Essex was also the area in which the ambitions of Geoffrey de Mandeville, Earl of Essex were centred, and a close local study of this area enables Patricia Dark to demonstrate the interplay of interests there. Empress Matilda made grants of lands and offices to Geoffrey in Essex, hoping that, in so far as he was able to make these effective, it would damage her rivals at no cost to herself. Stephen and Matilda were also prepared to bid for his support by grants in the region, but only of lands not at the heart of the Honour of Boulogne and lands that would not enable him to acquire a local hegemony such as Boulogne itself enjoyed in the area. While it is not always easy to distinguish Matilda's activity from that of Stephen, there is no doubt that she was an active player in the contest for the throne, and not only when her husband was incapacitated by

captivity or illness. And she was an active player for the same sort of reasons as would have made a leading lord influential — noble birth, high connections, large landed resources, and her own strength of character and clear, consistent aims in her manipulation of these advantages.

Her role in exercising informal influence and patronage, in addition to and beyond generally recognized authority, may be compared to that of William of Champagne in France in the 1190s, which is the subject of Walter Ysebaert's essay. William of Champagne was by birth a member of the important house of Blois and Champagne, and through the marriage of his sister Adèle to Louis VII, the uncle of King Philip II Augustus and the King's right-hand man. William's ecclesiastical career led to his appointment as Archbishop of Reims in 1176 and cardinal in 1179. When Philip Augustus departed on the Third Crusade in 1190, he named his mother, Adèle, and her brother William as regents of the kingdom. As Archbishop of Reims, confidant of the King, and joint-regent during his absence, William thus enjoyed much open, officially recognized authority. But as Ysebaert demonstrates, William was also the centre of an informal network of patron-client relationships, which gave him a group of men on whom he could rely to carry out his orders and work actively in causes he was promoting. The regents had been made responsible for appointments to royal abbeys and sees and this was to be particularly important when the death of the childless Count Philip of Flanders on Crusade in 1191 opened the way to succession disputes in Flanders. William, acting in the interests of the Capetian king, was able to secure the appointment of Stephen of Orléans to the politically significant see of Tournai, and other clients to the bishoprics of Arras and Thérouanne, all of these sees suffragans of the archbishopric of Reims. Stephen of Orléans in particular was one of William's closest confidants, and his letter collection provides evidence for these relationships. The value of these placements to Philip Augustus is demonstrated when these bishops issued sentences of excommunication and interdict against princes who were in dispute with the French king and in 1196 acted as guarantors for the undertakings of Count Baldwin VI/IX of Flanders to him. But the limitations of such influence and the fragility of such a network were demonstrated in 1200 when Philip's repudiation of his wife, Queen Ingeborg, led to a papal interdict on France and William of Champagne was not able to carry all his suffragans, including the bishops of Thérouanne and Cambrai, with him in ignoring it. William himself lost influence with the King and seems to have had little political role in the last few years before his death in 1203. Informal networks of influence could be important and influential, but were vulnerable to adverse political winds and could prove evanescent.

The parochial clergy as a category has received far less attention than bishops or higher clergy and is not a group that immediately springs to mind as enjoying power or authority. Yet, as Jeremy Goldberg is able to demonstrate on the basis of depositions in matrimonial and other cases in the ecclesiastical court of York in the later Middle Ages, they commanded resources and influence that gave them very real sources of authority in their own local communities. They might well be kinsmen, employers, or neighbours of one or more of the parties or other witnesses and might have been involved in arranging marriages, more as family confidants than as clergy. They were expected to know their parishioners and had privileged access to their lives through involvement in baptisms, churchings, marriages, and burials, and perhaps especially through the sacrament of penance. Although they could not, and did not, reveal details of what they had heard in confession, they might be consulted on moral or practical problems outside the confessional and advise their parishioners on the basis of their knowledge of the individuals involved as well as their understanding of the legal significance of alleged events. Clergy were, in a sense, expert witnesses in matrimonial cases and so are especially likely to be chosen to testify. They were the most conspicuously literate section of society with access to records they could check and might indeed have had a hand in compiling. The support of the parish clergy could be extremely valuable in matrimonial cases for their local knowledge, understanding of the legal significance of apparently minor details, and for their priestly character, which made their testimony particularly authoritative. From the point of view of the parish cleric, his priestly character and his privileged knowledge of his parishioners, who were also his neighbours and might be his kinsmen or employees, gave him a source of authority which might be only local but was nevertheless very real.

Crusaders as a group exercised an influence on papal policy and ecclesiastical thinking disproportionate to their numbers, their interests protected by many special privileges. Rebecca Rist looks at papal pronouncements on Jewish moneylending with specific reference to loans to crusaders in the first half of the thirteenth century. It was recognized that many potential crusaders would need to borrow and that some might be prevented from undertaking a crusade by the burden of interest on debts they already owed or new loans they took out for crusading purposes. Prohibitions on usury by Christians left moneylending increasingly in the hands of Jews and led to demands that Jewish usury should also be limited, although kings and princes benefited from taxing the Jews. In 1198, Innocent III decreed that Jews, like Christians, were to be compelled to remit usury charged to crusaders. In 1208, the remission of interest was applied to

crusaders in Languedoc as well as the East, and bishops were enjoined to endeavour to induce lenders to defer repayment of the principal until the crusaders returned home. There was no specific mention of Jewish lenders in these cases and indeed, since those who agreed to defer payment of the debt were offered a share of the spiritual benefits of the crusade, this can hardly have applied to Jews.

Both Christian and Jewish moneylending remained a problem and the decrees of the Fourth Lateran Council forbade lending at usury by Christians altogether, while merely forbidding Jews to charge immoderate interest to the Christian population in general and requiring them to remit any interest to which crusaders had already committed themselves. Crusaders were also to be granted a moratorium on their debts until their return and the income from any property they had handed over to Jews as pledges was to be counted off the principal. The distinction between crusaders and the general Christian population was thus maintained and crusaders granted special protection, but the role of the Jews as moneylenders was recognized as too valuable for any attempt to be made to ban Jewish usury completely. Thus, even Jews, despite the extreme vulnerability of their position in Western Christendom, were able to exercise a degree of influence following from their role as moneylenders and the support that this won them from Christian rulers, such as Blanche, Countess of Champagne, who intervened to protect the interests of the Jews in her lands and thus her own interests. The regulations regarding moneylending by Jews became the focus of conflicting pressures and influences. The papacy was recognized as the authority with the right to make pronouncements on the subject, but popes found themselves under pressure from canon lawyers, who were increasingly unhappy about the distinction between crusaders and the general body of Christians, while some prelates tried in their localities to force Jews to return interest to all borrowers. Conversely some rulers and local lords appealed to the pope to afford protection to the Jews in their territories against the rigorous attitude of local ecclesiastics. The popes of the first half of the thirteenth century continued to give a degree of protection to Jewish moneylenders, who were shielded from oppression by local lords and prelates and could eventually collect interest due even from crusaders, while the popes continued to treat crusaders as a special category and allow them remissions of interest and deferments of debt repayments to facilitate the crusading enterprise. This case study of attitudes to moneylending by Jews involves a complex interplay of authority, power, and influence, and demonstrates that even those in an apparently weak position, whether needy crusaders or the

vulnerable Jews, could exercise an influence, if only indirectly, and ensure that their interests were taken into account.

III. The Power of Words

Words themselves could exercise a powerful influence on particular occasions such as those invoked in the heat of battle and, when written down, could have a more lasting significance. The power of words consisted 'both in their permanence and in their capacity to be re-read and, more importantly, reiterated in the form of speech and in a permanent written form could themselves exercise authority' (p. 254, below). The power of words is represented in this section by two papers which discuss the military and political events in Anglo-Saxon England and the way in which they were recorded for posterity in literary works, two papers which demonstrate the authority of written documents in the justification of legal claims, and three papers dealing with aspects of sanctity, both justifying the canonization of a saint and providing models for action for those who came after.

The problem of the relationship between power and authority arose particularly acutely at points when there was a significant shift in power and these moments were especially likely to produce literary works that attempted to come to terms with the changes. Such periods in England included the reign of King Athelstan when the West Saxon monarchy established overlordship over other areas of England, both Danish-occupied and previously independent Anglo-Saxon kingdoms, and the later establishment of the power of a new wave of Danish invaders, which was to lead to the recognition of Cnut as English king. Jayne Carroll studies the poetry of the first half of the tenth century associated with the reign of Athelstan and his brother Edmund in Latin, Old English, and Old Norse, and the different 'discourses of power' they present. The circumstances in which they were written, presented, and preserved means that all these works, though in different languages and aimed at different audiences, can be regarded as at least semi-official and thus as depicting the situation in a way that was acceptable to those holding power, while not departing too far from traditional forms or appearing incredible to their intended audience, so that they could serve to mould public opinion and promote particular concepts of power. Thus while the Latin poetry stresses an England that had always been a single entity, but had been waiting for Athelstan to perfect it so that his power was God-given, and the Old Norse skaldic poetry presents Athelstan as a great warrior striking down all who

resist him, and as a traditional distributor of treasure, *The Battle of Brunanburh*, which might have been expected to stress a unified England, in fact presents the West Saxons and Mercians as engaged in the common purpose of defending their homeland and expelling a combined Viking and Scottish invasion, but avoids mention of England or claims to expansionist power or even leadership for Athelstan. So roughly contemporary poems, all of them of a semi-official character but in different languages, stress different aspects of the realities of power in England in the first half of the tenth century.

Alice Jorgensen discusses discourses of power in a single Anglo-Saxon poem, *The Battle of Maldon*, which relates the defeat of an English force under the leadership of Byrhtnoth by a group of Vikings in 991. It has long been noted that the poem re-reads defeat as victory, but Alice Jorgensen stresses the different modes of power presented in the poem, the first violent, the second verbal. In the first part of the poem Byrhtnoth relies on violence and physical force in resisting the Viking demand for tribute and defending Æthelred's land, stressing fighting spirit and physical strength. In the second half of the poem the English thegns remaining on the field after Byrhtnoth's death no longer expect victory in the battle by force of arms, but construct a different kind of power by stressing that their courage and fighting spirit is undiminished by the decline of their physical strength and by redefining their aim as avenging their lord's death by their willingness to die where he had fallen, thus providing an example of the bonds of loyalty between lord and men that were fundamental to late-Anglo-Saxon military organization. Words and speech play a prominent role in both parts of the poem. Despite his anticipation of victory by force of arms, Byrhtnoth had also made use of speech, his words to be authenticated by deeds. Speech is even more prominent in the second half of the poem. Each of the loyal warriors speaks in turn before advancing to his death, but the fighting element is less prominent and there is more awareness of related behaviour, such as the making of vows, the recounting of heroic deeds, and the perpetuation of a warrior's fame, so that, as Jorgensen argues, it is less that words will be authenticated by deeds, as in the case of Byrhtnoth, as that deeds will be authenticated by the words of others who will tell the tale of the battle. Although the poem is anonymous and its date uncertain, *The Battle of Maldon* exerts the power of texts and the agency of the poet to define and shape a particular account of the battle and its significance within the categories and expectations of the culture from which it sprang where reputation was stressed and courage prized.

Literary texts were not the only written forms that could reflect the realities of power and in turn exercise an authority in their own right. While dramatic

shifts in power in Anglo-Saxon England may have been the impetus for the production of certain tenth-century literary texts, the point is well made by Anne Duggan that, already before 1100, written instruments of every kind — charters, and deeds, together with their confirmations, privileges, and authentic duplicates of any one or all of these — were in use throughout Europe. Charters confirmed the stability of a particular grant and served as a powerful and durable reminder to subsequent generations of events which had occurred at a time beyond living memory. This, at least, was the ideal until it became clear that the written word itself was not immutable: once set down, the word could be — and indeed often was — changed or updated, falsified, or regarded as a necessary stage in the transition from 'memory to written record'. *Laudabiliter*, a letter which purported to be from Pope Adrian IV and which reputedly granted to Henry II *dominium* or power over Ireland in 1155 or 1156, makes its first appearance in the *Expugnatio Hibernica* of Gerald of Wales. Gerald, Archdeacon of Brecon and disappointed candidate to the bishopric of St David's, seemingly composed *Laudabiliter*, and few other documents have enjoyed such a wide variety of reputations, ranging from undoubtedly genuine, to 'not fully accurate' (p. 259, below), and with a final denunciation condemning it as a fantasy donation charter. In an ingenious piece of historical detective work, which testifies to the enormous power of the written record, Anne Duggan traces Gerald of Wales's deliberate falsification of *Laudabiliter* with its apparent papal justification and approval for the subordination of the Irish to the Anglo-Norman-Angevins. As she points out, this one letter, which Gerald inserted into no fewer than three of his works, was endlessly copied and recopied, and was preserved as an authoritative form of words which gave it a perpetual validity — a documentary distortion which has made it far more powerful than the reality, even today.

In contrast to the profound influence exerted by one highly significant letter, Swen Holger Brunsch turns instead to a whole group of written instruments concerning proceedings and judgements in trials held between 774 and 1050 within the *Regnum Italicum* to demonstrate that documents which were powerful in some situations might equally prove powerless or unnecessary in others. The distribution of *placita* — pleas or petitions for justice in legal cases concerning property and land — reflects clearly the political situation of Lombardic Italy over an almost three-hundred-year period, declining dramatically in number during the troubled tenth century. As trials grew progressively more sophisticated, so the most significant element was the ability to have any available documents read aloud in court, the deciding factor in proving a case often being the lack of any challenge to their authenticity. Nor did the actual volume appear to matter since

legal claims could be proved equally by production of a single document or by a bundle of several parchments. Documents, which had either been damaged or deliberately destroyed, were investigated and their content reconstructed on oath, while those who had destroyed them, if caught, received a fine. If the opposing side rejected a document, or if contradictory documents were presented, the older document would usually be preferred to the more recent one, and its legal content carefully scrutinized. While ecclesiastical institutions were more likely than individuals or families to present in evidence documents going back two or three generations, Brunsch's analysis agrees with the generally accepted conclusion that a majority of legal transactions were recent, many of them rapid — and some even occurring on the same day. Yet, his general conclusion is surprising, or as he says 'paradoxical'. As trials became increasingly based on testimony, so the number of documents presented before a court actually declined in authority. At precisely the same time, those documents which were used, while fewer in number, nevertheless appear to have increased in legal importance. By the eleventh century, however, and probably even earlier, as the precocious development of the notarial profession took place in those areas influenced by Roman civil law such as the Italian peninsula and Provence, notaries gradually began to challenge clerics for control of the written word.

If clerics no longer exercised the monopoly over literacy and written instruments that they had once enjoyed, they continued to exert undisputed dominance at least in two areas — the formal examination of 'proven' miracles in canonization processes and the composition of exempla, a genre of miraculous stories or moralizing tales with a didactic purpose. In their chapters, Ronald Finucane and Barbara Bombi approach the power of the written word and the miraculous from opposite ends of the spectrum. Whereas Finucane's concern is to trace the authorization of 'proven' posthumous miracles through what he calls a 'parchment trail', Bombi challenges the extent to which miracle stories, as filtered through exempla, are rejected by historians as authoritative evidence in research. Finucane pursues his argument through a text which is concerned with the canonization process of Thomas Cantilupe of Hereford († 1282), drawn up by an anonymous 'curialist' around 1318. Although the undisputed final authority in determining sainthood lay with the pope, various guidelines helped to establish the 'truth' or otherwise of a posthumous miracle. Once a simple attestation as to the sanctity of a candidate was regarded as being no longer sufficient, the burden of proof fell instead on witness depositions taken on oath. Canonists, theologians, and physicians thus became involved, as in the 'curialist's' document, which detailed evidence from expert witnesses. This document, which provides a clear

reflection of the papal commissioners' enquiries, appears to represent the midway stage between a preliminary draft of the process and the final bull of 1320 by which Cantilupe was canonized. Out of twenty-eight of Cantilupe's recorded miracles, Finucane selects three which raise quasi-scientific or theological observations on either the length or manner of recovery from a near-death experience, on what constituted a real 'death', and how in fact this was to be recognized. Although, amazingly, three copies of this manuscript have survived in three different countries, the document itself appears to have had little or no impact on subsequent processes — possibly because so few such written compilations were actually transmitted to the papal Curia following the conclusion of hearings.

While documents recording sworn depositions or testimonies to proven posthumous miracles were sufficiently authoritative to be used as evidence in the creation of new saints, the exemplum is usually dismissed as primarily literary in approach, full of general *topoi* and hence, rather more lightweight and less serious. Identifying a different focus in this regard, Barbara Bombi analyses ten miracle stories, six from the *Dialogus Miraculorum* and four from the *Liber VIII Miraculorum*, works composed by Caesarius, prior of the Rhineland abbey of Heisterbach (1227–40). Caesarius's firsthand material was largely drawn from oral tradition, from tales recounted by Cistercians whom he either knew personally or by repute and who were involved in the contemporary and rigorous mission against the pagans in Livonia on the eastern frontier of Christendom. He then wrote these down, elaborating them into miracle stories to serve a didactic purpose — for teaching about the Eucharist and remission of penance for sins committed. Caesarius was also adept at updating old stories and adapting them for subsequent use. Although several of these were fairly common *topoi*, they passed from house to house within the shared oral and written traditions of the Cistercians, and often through the medium of the annual General Chapter meeting of all the abbots of the whole order. Two miracles from oral sources deal specifically with the process of conversion in Livonia, for which there is otherwise little or no information. One miracle mirrors the contemporary attempt to reform the cure of souls according to the practice of confession and the administration of penance. A second concerns the need for mass baptisms, so great were the numbers of converts, and raises the question as to whether or not it was enough to sprinkle neophytes with holy water rather than immerse them three times as canon law required. Importantly, Barbara Bombi argues strongly for Caesarius of Heisterbach's exempla to receive better recognition as an authoritative source. His use of this literary genre assisted in making the Livonian

crusade more widely known, particularly within the Cistercian order where his stories served not only as invaluable teaching aids for novice monks but as a valuable agent in the recruiting of much needed missionaries in the field.

Hagiographical literature, written by clerics specifically to appeal to a largely clerical audience, is a genre which, like the exemplum, can be all too easily dismissed. Joanna Huntington considers three Latin vitae of Edward the Confessor, composed between 1065 and 1165 and shows how, in their reworking, saintly power was manipulated to promote a particular model of royal authority. Hagiography served many purposes, not least to present the miraculous power of the subject, and Edward's vitae attributed to him the power of healing known as the 'Royal Touch'. Curing diseases of the skin was by no means the only royal speciality and several other miracles bear witness to his power to bring sight to the blind. The earliest, anonymous vita in two books, dated to 1065 and 1067, promoted Edith, Edward's queen, but the two subsequent *Lives* focus on Edward in the hope of obtaining his canonization. While in *c.* 1138 Osbert of Clare failed at the first attempt, Aelred of Rievaulx was ultimately successful in 1161, and two years' later the King's body was translated within Westminster Abbey. Aelred's vita of Edward was not only the latest but also the most widely circulated of the three, becoming, as Joanna Huntington suggests, 'a speculum for Henry II, presenting a mirror of saintly lived kingship to a living king'. The issues involved here would seem to complement those discussed by Jean Dunbabin, Chris Dennis, and Patricia Dark, when rulers were struggling to establish new dynasties. Henry II's hold on his realm after 1154 was by no means as secure as he and his chroniclers wished to have believed. Even with a claim to the throne, Henry had been forced to fight for his kingdom, hence his appeal to his new subjects to remember the strength of the customs of his grandfather, Henry I. The Old English element in the country required appeasement too. For them, in a spectacular relevant passage in the prologue to Edward's vitae, Aelred successfully manipulated the Confessor's legend and his healing miracles in order to show Henry II as the cornerstone of English and Normans alike.

> The tree symbolises the kingdom of England.[...] The root [...] was the royal seed, which descends from Alfred [...] to Saint Edward. 'The tree was cut from its stump' when the kingdom was taken from the royal family and given to another seed.[...] 'The tree returns to its stump' when the glorious King Henry [...] took as wife Matilda, the great-niece of Edward.[...] thus joining the English and Norman lines and by the consummation of his marriage making the two [lines] one. 'The tree blossomed' when the Empress Matilda was born from the two lines, 'and it bore fruit' when from her arose our Henry, like the morning star, like a cornerstone joining together the two nations. (see p. 341, below)

Such a politically charged and revealing piece of writing as this from Aelred's prologue to the vita of Edward the Confessor must surely go a long way in raising awareness of the possible value to be derived from such hagiographical texts.

This final paper brings us almost full circle, but in doing so serves to demonstrate the variety and multiplicity of both power and authority in the Middle Ages. The papers in this volume were read at the International Medieval Congress in Leeds in 2003 as part of that year's theme of Power and Authority. They range geographically from Italy and the Iberian Peninsula through France, Flanders and England to the Eastern frontiers of medieval Christendom and chronologically from the eighth century to the early sixteenth. While they cover both royal and ecclesiastical authority, they demonstrate that power was more than a matter of physical force and royal or ecclesiastical propaganda, important though these were. Various levels of power and influence might be exercised by groups not normally thought of as enjoying easy access to power, such as rank-and-file crusaders, women, and the lesser clergy. Power and influence might also be exerted by means other than military strength or the exercise of royal or ecclesiastical office, for example the building up of networks of friends, clients, and influence or the use of artistic or literary propaganda. Some of the media by which power and influence was exercised came to have an authority of their own, such as the literature produced in Anglo-Saxon England, where *The Battle of Maldon* turned an unsuccessful minor skirmish into an epic tale of heroism, or the bull *Laudabiliter*, which still divides historians. Documents were themselves authoritative in lawsuits in the *Regnum Italicum*, while hagiographical forms such as the exemplum and the vita might variously serve as a teaching aid for novice monks, assist recruiting for the mission field, or present a model of saintly kingship to later rulers, quite apart from making known the sanctity of their subject and arousing the veneration of the faithful. It cannot be claimed that this volume is comprehensive; there are no doubt other forms of both power and authority, and there are certainly many other case studies which deserve attention. But the papers presented here serve to demonstrate that neither power nor authority was a simple matter of royal or ecclesiastical authority and military or judicial power. There were many other claims to be heard and respected and many other ways of influencing one's fellow men, some aspects of which are explored in this volume.

Part I. Image-making

Creating an Image for a New Kingship: Charles I of Anjou, King of the Regno

Jean Dunbabin

In periods of poor communications, power rests to a considerable extent on the ability of rulers to project themselves among those they rule as embodying in some way the common good. In other words, in order to justify their positions, they need to impute to themselves superhuman virtues and have their subjects accept that imputation.[1] Most thirteenth-century kings appear to have enjoyed this kind of self-projection. Like a composer producing a variation on a theme, the average king inherited an image which he could tweak and bring up-to-date. Some kings were not particularly interested in image; others had brilliant ministers to do the painting for them.[2] But most enjoyed finding new ways of packaging majesty for easy absorption by their subjects and passing on their shining new image to their successors. Two of the brightest stars of this category were Louis IX of France and his contemporary Henry III of England. Their respective buildings, the Sainte Chapelle and Westminster Abbey, survive as monuments to what iconography and large building budgets can do for the royal reputation.[3] Creating an image in stone was perhaps the most effective way of

[1] Weber first drew attention to the need for rulers in less than fully bureaucratically organized societies to inspire devotion in their subjects: see 'Charismatic Kingship', in *From Max Weber Essays in Sociology*, trans. by Hans H. Gerth and C. Wright Mills (London: Routledge and Kegan Paul, 1948), pp. 251–52.

[2] Traditionally, Philip IV of France has been depicted as a ruler who employed excellent propagandists: see Jean Favier, *Philippe le Bel* (Paris: Fayard, 1978), pp. 13–51.

[3] Robert Branner, *St Louis and the Court Style in Gothic Architecture* (London: Zwemmer, 1965), pp. 56–65; Paul Binski, *Westminster Abbey and the Plantagenets: Kingship and the Representation of Power, 1200–1400* (New Haven: Yale University Press, 1995).

delivering a message to all who passed by, and it had the advantage of being inherited by one's heirs.

Both Louis and Henry were kings by inheritance. The case of Charles I of Anjou, Louis's brother and from 1266 King of the Regno (that is southern Italy and Sicily), was entirely different. Already Count of Anjou, Maine, and Provence by 1246, he became king as a result of answering a papal plea, that of Innocent IV at the First Council of Lyons in 1245, to rid the world of the Hohenstaufen dynasty, the family which had ruled the empire since 1152 and Sicily and southern Italy since 1195.[4] Charles owed his throne to his victory at Benevento in February 1266, when Manfred, illegitimate son of Emperor Frederick II and King of the Regno, was slain. Suddenly Charles found himself as ruler of a realm of which he knew virtually nothing, and where he could not simply tap into existing imagery because that might taint him with the brush of the Hohenstaufen, from whose tyrannical oppression he was supposed to be setting the inhabitants of the Regno free. On the other hand, he could not hope to conciliate his new subjects unless he sold himself well to them. Image-making was necessary and speed in creating a convincing ground for demanding obedience was essential.

That Charles had ability in this direction is not in doubt. In Rome, where he was senator between 1265 and 1278 and from 1282 until 1285 (the date of his death), he hired Arnolfo di Cambio to produce a fine sculpture in the classical style.[5] Carved from a colossal architectural fragment, the statue emphasized the antiquity of the senatorial office, not only in its awe-inspiring aspect but even in its material. It stood on the Capitol, reminding the citizens of Rome where power lay in the city. But senator was not king. Curiously enough, Charles had more room for manoeuvre in Rome, where he was elected by the people, than in the Regno. There, there was one serious limitation on Charles's power to create images: he held his crown as a papal vassal.[6] While this had been true of previous kings of the Regno, most of them had ignored the inconvenient fact while image-making. Papal vassalage had not stopped Roger II from portraying himself as receiving his crown directly from Christ, or Frederick II from stepping into the

[4] David Abulafia, *The Emperor Frederick II* (London: Allen Lane, Penguin, 1988), pp. 372–74.

[5] Julian Gardner, *The Tomb and the Tiara: Curial Tomb Sculpture in Rome and Avignon in the Later Middle Ages* (Oxford: Clarendon Press, 1992), pp. 44, 45, 96.

[6] Jean Dunbabin, *Charles of Anjou: Power, Kingship and State-Making in Thirteenth-century Europe* (London: Longman, 1998), pp. 131–32.

shoes of the Roman emperors of old.[7] But Charles was on a much tighter rein. Far more obviously than either of these, he owed his throne to the Pope, who had launched a crusade against the Hohenstaufen, accepted Charles as its leader, and crowned him king in Manfred's stead. Pope Clement IV, a lawyer by training, was not likely to welcome his vassal-making claims to authority based on sources that the papacy could not control.[8] Imperial imagery, comparisons of the ruler with Christ in majesty, overt borrowings from Roman law about the position of the legislator, or indeed any kind of independent self-elevation might bring on his head a stern papal rebuke.

Furthermore, Clement was initially determined to dictate to Charles the image of kingship he should project: that of a merciful protector of the church in the Regno and of a generous victor. After the great victory at Benevento, Clement called Charles 'the illustrious shield and protector of Holy Mother Roman Church and of the Christian faith'.[9] In papal eyes, the new king's mission was to free the Sicilian church from the bondage in which the Hohenstaufen had held it. He was also to conciliate Manfred's one-time allies by kindness and to restore the people to its former prosperity.[10] The Pope did not see any contradiction in these objectives. Charles, however, rapidly did. When he tried to set the Sicilian church free by recovering its property for it, he was seen as an oppressor by those laymen who had benefited from the annexation of church lands.[11] When he showed liberality to those who had fought for Manfred, they repaid him for their freedom by supporting Corradin, the last of the Hohenstaufen, who invaded the Regno in 1268. As to restoring lay prosperity, that had to be relegated to the future; immediately Charles had to tax the country harshly to repay his debts for the conquest, particularly the debts owed to the Pope himself.[12] After Charles's

[7] For Roger, see the mosaic in the Martorana, Palermo; for Frederick II in the Constitutions of Melfi, see Abulafia, *Frederick II*, p. 203.

[8] Before his wife died and he took up a clerical career, Clement IV (Gui Fulcois) had been a noted Roman lawyer, servant to both Alphonse of Poitiers and Louis IX.

[9] *Les Registres de Clement IV*, ed. by Édouard Jordan (Paris: Bibliothèque des Écoles françaises d'Athènes et de Rome, 1893–1945), no. 1025.

[10] Letter 343, 27 July 1266, *Thesaurus novus anecdotorum*, ed. by Edmond Martène and Ursini Durand, 5 vols (Farnborough: Gregg Reprint, 1968), II, 377, no. 343.

[11] Dunbabin, *Charles of Anjou*, p. 145, and Jean Dunbabin, 'Charles I of Anjou and the Development of Medieval Political Ideas', *Nottingham Medieval Studies*, 45 (2001), 110–26 (p. 124).

[12] Dunbabin, *Charles of Anjou*, pp. 57, 135.

second great victory at Tagliacozzo in August 1268, when Corradin was defeated and taken prisoner, the King was in a stronger position vis-à-vis high-minded papal bullying. He became less liberal to the church, harsher to his opponents, and firmer in imposing his own style. But how was that style to be projected to his subjects, now that he was relatively free to choose it for himself?

He must surely have considered exploiting the traditions of his own family, the Capetians. They had legends and traditions galore to reinforce their authority.[13] But the drawback to them from Charles's point of view was that most of these were specifically French in character. They were not transportable to another setting. The legendary link with the Trojans, the Sibylline prophecies, the holy ampule for use at the coronation, the long primogenital succession which proved the relentless orthodoxy of the line, all these were too closely linked to French history to be of much help to Charles. There was one legend by which he may have been tempted, that of the royal touch, the claim that the Capetian kings could cure cases of scrofula by virtue of their office.[14] As can be seen from the success of the kings of England in annexing this miracle, it must have been rather more portable than other aspects of French royal majesty. But Charles relentlessly avoided any such claim. He may have thought that the power to cure belonged exclusively to the reigning French monarch; alternatively he may not have approved of the legend — there has been historical debate as to the Church's attitude toward it.[15] But whatever his reason, he never allowed any suggestion of supernatural power to be attributed to him. He was of course, pleased to stress to his new subjects that he was the brother of Louis IX, the uncle of Philip III. After the failed 1270 Tunis crusade on which Louis died, Charles attempted to keep Louis's body in the Regno; but in the end he had to be satisfied with his entrails, which were buried at Monreale. He went out of his way to include himself and his brother Alphonse as worthy siblings of the would-be saint in his testimony to the papal commissioners when the move to canonize Louis IX was first mooted.[16] And he followed Capetian custom in giving his second son the name of Philip. But if he was happy to present himself as a devoted member of the Capetian

[13] See for example, Colette Beaune, *Naissance de la nation France* (Paris: Gallimard, 1985).

[14] Marc Bloch, *The Royal Touch*, trans. by J. E. Anderson (London: Routledge and Kegan Paul , 1973).

[15] Frank Barlow, 'The King's Evil', *English Historical Review*, 95 (1980), 3–27; cf. Philippe Buc, *The Dangers of Ritual* (Princeton: Princeton University Press, 2001).

[16] Dunbabin, *Charles of Anjou*, p 18.

family, he avoided imprinting the image of Capetian kingship. This was probably astute. Charles was not as insensitive to the feelings of his new subjects as he is sometimes made out to have been, and the Capetian dynasty was by no means as popular outside France as in it.

In image-making, Charles had one great advantage, that of having been a crusader. Somewhat earlier in the thirteenth century, both Ferdinand III of Castile and León and James I of Aragon had demonstrated their success in attracting loyalty by projecting themselves as successful warriors against the Moors.[17] Imitation by others was certainly possible. Charles had, after all, been a major participant in the 1245 crusade, he had fought in the Regno under the papal crusading privilege, and he was in 1270 to attempt to join St Louis's second crusade — though admittedly he wound that up when he discovered how many men had died of dysentery in the French army.[18] To a small extent he did exploit his reputation in this regard. He was always generous to the military orders and, in the early years of his reign, employed several Hospitallers and Templars in his household.[19] When he acquired the title to the kingdom of Jerusalem in 1276, he regularly cited it first of all his titles in official documents.[20] He did what he could for Outremer in its dying years, although that was not much. Yet unlike Ferdinand III of Castile and James I of Aragon, Charles did not lead out armies of his subjects against the Muslim foe. His main task on the Sicilian crusade was to bring supplies and ships, not men. And because in 1270 after Louis IX's death at Tunis, Charles promptly made peace with the Emir of Tunis (on terms rather favourable to himself), those who accompanied him had no chance of seeing him using his famous sword. Indeed, his enemies blamed him for the diversion of the crusade.[21] His reputation as a crusader was probably useful to him primarily in dealing with popes (who unfortunately frequently disagreed with him on how future crusades should be conducted) and perhaps to a lesser extent initially in dealing with ecclesiastics in the Regno (but many of them rather rapidly forgot his

[17] Angus MacKay, *Spain in the Middle Ages: From Frontier to Empire* (London: Macmillan, 1977), pp. 58–64.

[18] Dunbabin, *Charles of Anjou*, pp. 97, 227.

[19] Dunbabin, *Charles of Anjou*, p. 229.

[20] *Die Chronik des Saba Malaspina*, ed. by Walter Koller and August Nitschke, Monumenta Germaniae Historica, Scriptores, 35 (Hanover: Hahn, 1999), p. 248.

[21] *Die Chronik des Saba Malaspina*, p. 228.

crusading past in their annoyance with his failure to give them all they wanted in the present).[22] After 1270, he was probably wise to make little of it.

Normally, the great value of enjoying a reputation as a crusader was the admiration it aroused in the fighting aristocracy. But Charles, although as committed a crusader as Richard the Lionheart, gained much less from it. Whereas Richard enjoyed the threefold advantages of at least a measure of success on the Third Crusade, of facing a heroic opponent, and of having Ambroise to tell the story, the perfect ingredients for romance, Charles, through no fault of his own, acquired little glory from participating in either of the disastrous crusades led by his brother. Joinville's kind words on his valour in Egypt, famous though they later became, were written too late to do him any good.[23] As to romance, it is perhaps ironic that the only surviving troubadour poems addressed to him in his role as a crusader, those by Bertran d'Alamanon written in 1247 and by Sordel written in 1248, were quite unhelpful to his cause. Bertran severely criticized Charles in his new role as Count of Provence for thinking of leaving Provence to go on a crusade when there was so much trouble at home; and Sordel begged Charles not to take him overseas, as he was terrified of storms at sea.[24] It is perhaps no wonder that Charles was notorious for not patronizing minstrels.[25]

At a domestic level and when legislating for his new subjects, Charles emphasized his role as the successor to the Norman kings of the Regno, the predecessors of the Hohenstaufen, who had ruled from 1139 to 1195, and who enjoyed the reputation of having been most Christian. He asserted that he was simply reviving the customs of the past, in particular those of the golden age of William II, the Good, king from 1166 to 1198, which had been abruptly subverted by the tyrannical rule of the Hohenstaufen.[26] In other words, although a foreigner and a conqueror, he was seeking to give the people of the Regno back their proper inheritance, paternalism under a just king. Symbolically he reinforced this image by conferring the Principality of Salerno on his heir, the

[22] Dunbabin, 'Charles I of Anjou', pp. 115–16.

[23] *La vie de saint Louis*, ed. by N. Corbett (Sherbrooke, Quebec: Naamen, 1977), p. 124, and on the chronology of Joinville's writing, pp. 11–13.

[24] Linda Paterson, *Lyrical Allusions to the Crusades and the Holy Land*, available from her Web page, <www2.warwick.ac.uk/fac/arts/french/about/staff/lp>. There is an edition of the Sordel poem in *Sordello: Le poesie*, ed. by Marco Boni (Bologna: Palmaverde, 1954), no 29, pp. 170–71.

[25] Tommaso di Pavia, trans. by Dunbabin, *Charles of Anjou*, p. 21.

[26] Dunbabin, 'Charles I of Anjou', pp. 117–18.

young Charles — a return to Norman custom.[27] He also gave money to the chapter of Palermo to keep the feasts and anniversaries of the Norman kings. This picture of a Norman revival was in principle quite appealing; few inhabitants of the Regno could quarrel with the ambition it expressed and it had the advantage that precise memory of what had been the customs under the Norman kings had faded by 1268, leaving the new ruler some room for manoeuvre.[28]

Ingenious though it may sound, it is arguable that Charles's adoption of this line and his repetition of it in prologues to his large body of legislation actually proved over time to be a fatal mistake. On the one hand, it raised the expectations of his subjects. They took it as a promise that all the features they had disliked in the rule of the Hohenstaufen in the recent past would be abolished. In particular, the high taxation to which they had frequently been subjected would cease and no one would suffer from the return of those refugees who had had to flee the Regno in the later years of Frederick II and during Manfred's rule.[29] For them, the later twelfth century had become a golden age. Each subject had his own view of what justice consisted in; for only a very small minority did Charles's rule bring them what they believed to be their rights. On the other hand, the image of successor to William the Good was problematic for Charles. On a material level, he had to continue Hohenstaufen methods of taxation, at first because he was deeply in debt — his invasion of the Regno had been a very expensive business — and later because he pursued an ambitious foreign policy.[30] Nor could Charles eradicate Frederick II's centralization of administration; as a conqueror, he was relieved to find a system that could be operated from the top. Nor indeed could he abolish Frederick's legislation; again, much of it seemed to him both sensible and just. He merely refrained from pointing out to his subjects which king it was whose laws he was reissuing.[31] In other words, he could not sincerely attempt to revert to the pre-Hohenstaufen days. The result was that when in 1282 Charles faced the rebellion of the Sicilian Vespers, one of the chief justifications given for rebellion

[27] *Die Chronik des Saba Malaspina*, p. 234.

[28] For example, Charles's opponents were unable in 1283 to establish whether the most Christian kings had taxed in the same way as Charles did; see *Les Registres de Martin IV*, ed. by Les membres de l'École française de Rome (Subiaco: Bibliothèque des Écoles françaises d'Athènes et de Rome, 1901–35), I, no. 473, pp. 215–17.

[29] *Chronik des Saba Malaspina*, p. 241.

[30] Dunbabin, *Charles of Anjou*, pp. 102–04.

[31] Dunbabin, *Charles of Anjou*, p. 69.

was that Charles had imposed a foreign, not a Latin, dominion on the people of the Regno.[32]

If the images of Capetian, crusader, and restorer of the Norman monarchy all proved less effective than Charles had hoped, his most enduring asset was his reputation as a victorious soldier, an image rightfully his after his great victories at Benevento in February 1266 and Tagliacozzo in August 1268. Even Saba Malaspina, the bitterest of Charles's critics, acknowledged the importance of Charles's personal contribution to the defeat of Manfred's army and his crucial leadership at Tagliacozzo.[33] The gossipy friar Salimbene held that Charles had brilliantly wiped out the blot sustained by the Capetian house by the disaster of Louis IX's first crusade.[34] The troubadour Peire de Castelnau wrote a poem on the triumph at Benevento.[35] It is therefore appropriate that the only known fresco featuring Charles, painted after his death at La Tour Ferrande, outside Pernes, in Provence, should show him leading his army into battle on both occasions.[36] No one won victories on this scale without the guidance of the hand of God. So to have imposed himself on the Regno was to have earned at least a degree of legitimacy. This was an image which, for the first fifteen years of the reign, had no drawbacks. His reputation as God's warrior allowed Charles to portray himself as the bastion of the Latin west against the possible attacks of the Greek emperor or the more distant Turkish foes. His initial objective, only partially fulfilled by 1282, was to rescue the Latin conquests in Greece and to turn Albania into a bulwark against Byzantine aggression.[37] His foreign policy cost a great deal of money, but it brought him a high profile in western Europe and conciliated at least some of his subjects by its search for glory.

Though military success for the forces of the Regno was strictly limited between 1268 and 1282, Charles's own reputation remained unsullied because he

[32] Giovanni Villani, *Nuova cronica*, ed. by Giuseppe Porta, 3 vols (Parma: Fondazione Pietro Bembo, 1990–91), I, 517.

[33] *Chronik des Saba Malaspina*, pp. 172, 202.

[34] Salimbene de Adam, *Cronica*, ed. by Ferdinando Bernini, 2 vols (Bari: Laterza, 1942), II, 287.

[35] Francesco Sabatini, *Napoli angioina: Cultura e Società* (Naples: Edizioni scientifiche italiane, 1975), p. 36.

[36] Paul Deschamps, 'Peintures murales à Pernes (Vaucluse) représentant les victoires de Charles d'Anjou à Bénévent et à Tagliacozzo', *Comptes rendus de l'Académie des Inscriptions* (1965), 111–15.

[37] Dunbabin, *Charles of Anjou,* pp. 93–95.

relied on others to lead his armies when they fought beyond the bounds of the Regno, and within it there were no real tests of his power. But the outbreak of the War of the Sicilian Vespers brought Charles himself to the forefront. His failure at the siege of Messina in 1282 raised clear doubts as to whether he was any longer militarily invulnerable.[38] His death in January 1285, by which time his son and heir had already been captured by the enemy, and the rebellion had spread to Calabria and even to Naples itself, undid in the popular mind the powerful effects of his earlier triumphs.[39] If God had once supported Charles, he was now seen to have abandoned him. The triumphant victor was no more. He handed on to his successors no military charisma from his past successes. They had all been wiped from memory by the scale of his ultimate defeat.

No one can accuse Charles of laziness in image-making. Indeed he seems to have been desperately casting around for a slogan with which to sell himself to his new subjects. He suffered from circumstances that forced him to run a monarchy which was quite similar to that of Frederick II, while not being allowed to use the Roman-law-derived imagery which that monarch had employed to justify his actions. While Charles's great victories resounded in the ears of his contemporaries, all went reasonably well for him. But as he got older and less successful, he faced serious difficulties. His problems cannot have been as overwhelming as Steven Runciman, for example, portrayed them[40]; some people must have continued to see him as a restorer of the old order or they would not have fought so long and so hard in defence of his son against the Sicilian rebels and their Aragonese rulers. Very few medieval kingdoms survived the kind of strains endured by surviving part of the Regno between 1285 and 1295. But some people was not enough. Others had learned to hate him, as the survival of Sicily under Aragonese rule showed. The problem for conquerors is that universal acquiescence in their rule has to be their goal. And in this almost superhuman task, Charles failed. His successors had to work out new images for themselves on foundations different from those he had laid.[41]

[38] Dunbabin, *Charles of Anjou*, pp. 109–10.

[39] Dunbabin, *Charles of Anjou*, pp. 112–13.

[40] Steven Runciman, *The Sicilian Vespers: A History of the Mediterranean World in the Later Thirteenth Century* (Cambridge: Cambridge University Press, 1982).

[41] For Robert's image-making, see Darleen Pryds, *The King Embodies the Word: Robert d'Anjou and the Politics of Preaching* (Leiden: Brill, 2000), pp. 32–62.

Image-making for the Conquerors of England: Cnut and William I

Chris Dennis

While it was always vital for kings to find effective ways to project their image throughout society, this was nowhere truer than in England, twice conquered by foreign rulers in the course of the eleventh century. Despite a king's claim to rule over a country or an ethnic group, the scope of royal authority at any one moment was confined to the area where he was to be found. Together with the instability of political life at this period, the very nature of contemporary society compounded the inherently insecure position of the ruler. Without modern means of communication, the king's power in eleventh-century England rested squarely on the loyalty of local lords.[1] Indeed, it was precisely this vulnerability which was to be accentuated during the reigns of Cnut of Denmark and William of Normandy, as both men were foreigners whose prior interests had inevitably kept them overseas for long periods. Cnut accompanied his father, Swein Forkbeard, on the campaign which culminated in a Danish victory after Christmas 1013 as a result of King Æthelred II's flight to Normandy. After Swein's death at Gainsborough on 3 February 1014, Cnut returned to Denmark but, in the following year, he launched his own campaign. Having

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[1] See Alice Sheppard, *Families of the King: Writing Identity in the 'Anglo-Saxon Chronicle'* (Toronto: University of Toronto Press, 2004), pp. 19–20.

comprehensively defeated King Edmund Ironside at 'Assandun' on 18 October 1016, in a battle in which the Danes killed 'all the chief men of the nation of the English race', Cnut took control of Mercia and probably Northumbria too.[2] Nearly six weeks later, on the death of Edmund, Cnut became King of England. William the Conqueror's victory at Hastings on 14 October 1066 was even more spectacular since it did not mark the culmination of a lengthy campaign. The Norman fleet landed at Pevensey on 28 September, and less than three months later, William was crowned King of England in Westminster Abbey. He too had eliminated in battle the ruling elite of Anglo-Saxon England.

The presentation of the royal image was, therefore, equally as vital to the successful consolidation of Cnut's accession to the English Crown in 1016 as it was to that of William the Conqueror in 1066.[3] As foreign kings who owed their positions largely to military success, both men needed to project an effective image in order to legitimize their rule and rapidly to reconcile their conquered populations. Cnut exploited the exclusive right of the Anglo-Saxon kings to mint coins by introducing the 'Quatrefoil' type bearing his name and image, as early as 1017 or 1018, the earliest date at which he could claim rulership over the whole of England.[4] But the most effective way for an eleventh-century king to legitimize his accession in the eyes of his own people and improve his own reputation was by performing acts of generosity toward the Church. Cnut's relationship with the Church 'served the purpose of cloaking a murky past and perhaps a shady present, and giving to his government an aura of legitimacy'.[5] His generosity to Christ Church, Canterbury, and to the Old and New Minsters at Winchester, as well as his pilgrimage to Rome and his gifts to foreign churches, helped to associate his reign with that tradition of Christian kingship to which his Anglo-Saxon

[2] *The Anglo-Saxon Chronicle*, ed. and trans. by Michael Swanton (London: Dent, 1996), (D) 1016, p. 152; M. K. Lawson, *Cnut: The Danes in England in the Early Eleventh Century* (London: Longman, 1993), p. 20.

[3] It is likely that Cnut was crowned after his election following King Æthelred II's death in April 1016. He became king of the whole of England after the death of Edmund Ironside on 30 November 1016; see Lawson, *Cnut*, p. 82. There may have been a second coronation *c.* 1017; for a chronology of events during Cnut's reign, see Alexander R. Rumble, 'Introduction: Cnut in Context', in *The Reign of Cnut: King of England, Denmark and Norway*, ed. by Alexander R. Rumble (London: Leicester University Press, 1994), pp. 1–9 (pp. 3–5).

[4] Kenneth Jonsson, 'The Coinage of Cnut', in *Reign of Cnut*, pp. 193–230 (p. 199.)

[5] Lawson, *Cnut*, p. 159.

predecessors belonged.[6] William too nurtured this tradition and was not slow in using it to legitimize his authority. Norman power rapidly came to dominate the landscape through the construction of castles and the rebuilding of cathedrals. In 1069, having harried northern England, William held his Christmas court at York, at which he wore his crown and the trappings of kingship as a reminder to the rebellious northerners of the legitimacy of his rule.[7] Indeed, William developed the custom of royal crown-wearing ceremonies at the festivals of Easter, Pentecost, and Christmas in order to emphasize on each occasion the validity of his rule.[8] The chanting of the 'Laudes Regiae' at these occasions reminded the court of the King's eminence by celebrating the 'triumphant attributes of Christ himself' and locating his authority within the hierarchy of human and celestial power.[9] William also established Battle Abbey on the site of the battlefield at Hastings as a permanent memorial of his victory over King Harold.

But the extent to which William's subjects accepted his legitimacy as King of England is uncertain. Soon after the Norman victory at Hastings, Guitmund, 'a venerable monk' of the Abbey of La Croix-St-Leufroy in the diocese of Évreux, was called before King William so that he might be asked to remain in England until an ecclesiastical office appropriate to a monk of his reputation should become available. According to Orderic Vitalis, the early-twelfth-century Anglo-Norman chronicler who reported the affair, Guitmund was 'a man of mature age, pious, and most learned in letters' who was well known for writing a book against the heretic Berengar of Tours.[10] Having heard William's request, Guitmund refused point blank.

[6] For these gifts, see Lawson, *Cnut*, pp. 153–54. Cnut entered into fraternity with the Church of Bremen, he gave a psalter and sacramentary to the church at Cologne, and he gave another book to Duke William the Great of Acquitaine; see Lawson, *Cnut*, p. 159. For Cnut's pilgrimage to Rome, see *Anglo-Saxon Chronicle*, (D) 1031 [1027], pp. 156 and 159; (E) 1031 [1027], pp. 157 and 159.

[7] *Anglo-Saxon Chronicle*, (D) 1068 [1069], pp. 203–04. William E. Kapelle, *The Norman Conquest of the North* (London: Helm, 1979), p. 118.

[8] 'Also he was very worshipful. He wore his royal crown three times each year, as often as he was in England. At Easter he wore it in Winchester, at Pentecost in Westminster, at midwinter in Gloucester': *Anglo-Saxon Chronicle*, (E) 1086 [1087], p. 219.

[9] H. E. J. Cowdrey, 'The Anglo-Norman *Laudes Regiae*', *Viator*, 12 (1981), 39–78 (pp. 43 and 48).

[10] Orderic Vitalis, *Historia Ecclesiastica*, ed. and trans. by Marjorie Chibnall, 6 vols (Oxford: Clarendon Press, 1969–80), II, 271. Guitmund had been a pupil of Lanfranc *c.* 1060 (p. 271, n. 4).

> After carefully examining the matter I cannot see what right I have to govern a body of men whose strange customs and barbarous speech are unknown to me, whose beloved ancestors and friends you have either put to the sword, driven into bitter exile, or unjustly imprisoned or enslaved.[...] I am sorely afraid; I deem all England the spoils of robbery and shrink from it and its treasures as from consuming fire.[11]

Although Guitmund's speech was clearly embellished by Orderic, whose mixed heritage was reflected in his sympathy for the Anglo-Saxons, the monk's refusal of advancement and his doubt over the legitimacy of the conquest was certainly genuine.[12] In Guitmund's eyes, William the Conqueror was a murderer and a thief and all who were associated with him in English affairs, whether ecclesiastics or laymen, were henceforth tainted by these crimes.

It is impossible to gauge accurately the extent of the support that Guitmund's views might have found in the Norman Church. We may logically assume that few Norman churchmen would have empathized since, even before the Conquest of 1066, William's control of ecclesiastical affairs was so complete in Normandy that modern historians have failed to find a contemporary parallel.[13] Many of the most important members of the ecclesiastical hierarchy of the duchy not only owed their positions to the Duke but also shared in the 'spoils of robbery' by receiving extensive estates and privileges in post-Conquest England.[14] The Norman Church shared in this wealth and even the most cursory inspection of the tenants-in-chief across Domesday England reveals a number of Norman monastic houses.[15] Yet it is possible that some churchmen might have been too

[11] Orderic Vitalis, *Historia*, II, 273.

[12] Chibnall argued that the issues raised in the speech attributed to Guitmund by Orderic were topical *c.* 1125 rather than during the reign of King William; see Orderic Vitalis, *Historia*, II, 272, n. 1. For the purpose of this essay the important point is that Guitmund refused the King's offer.

[13] C. H. Haskins, *Norman Institutions* (Cambridge, MA: Harvard University Press, 1918), pp. 35–36. David Bates argued that the eleventh-century dukes of Normandy treated the Norman Church as an aspect of government; see David Bates, *Normandy Before 1066* (London: Longman, 1982), p. 190.

[14] Odo of Bayeux and Geoffrey of Coutances, the Norman bishops who accompanied the army on the Hastings campaign, are the best examples. For their estates in England see, David Bates, 'The Character and Career of Odo, Bishop of Bayeux (1049/50–1097)', *Speculum*, 50 (1975), 1–20 (p. 10); John Le Patourel, 'Geoffrey of Montbray, Bishop of Coutances, 1049–1093', *English Historical Review,* 59 (1944), 129–61 (pp. 152–53).

[15] For example St Valéry; Jumièges; La Trinité, Rouen; St Étienne, Caen; Mont Saint-Michel; Fécamp; Grestain; Troarn; Cormeilles; Saint-Evroul. See also, Donald Matthew, *The Norman Monasteries and Their English Possessions* (London: Oxford University Press, 1962), pp. 29–32.

afraid to speak out of turn, and it is also just as likely that the views of the disaffected were suppressed. King William and his leading magnates were unable to escape the fact that they had gained control of England through bloodshed, while the legitimacy of the Conquest rested on their claim that Harold Godwinesson had committed perjury. Indeed, William's hands were stained with more blood than were those of his immediate predecessors in either England or in Normandy. The confirmation of the Penitential Ordinance by Bishop Ermenfrid of Sion, dated possibly as late as 1070, demonstrates the extent to which contemporaries were aware of this fact.[16] Clearly, the manner in which William succeeded to the English throne and by which he had consolidated his grip on the country must have had an impact on the image of kingship in England after 1066.

It is clear that Guitmund's view of William the Conqueror and the Norman Conquest has much in common with the picture of post-Conquest England painted by the anonymous annalists of the *Anglo-Saxon Chronicle*. After 1066, the continuators of the *Chronicle* were able to portray the Normans as oppressors. As a result, the King inevitably became the personification of Norman tyranny and the focus for resentment and hatred. Typical of their attitude is the lament of the 'D' annalist as he complained about the ruthless plundering of southern England in 1067, led by William fitzOsbern and Bishop Odo of Bayeux: 'and afterwards', he went on to say, 'it always grew very much worse'.[17] Indeed, the contrast between the *Anglo-Saxon Chronicle*'s presentation of William the Conqueror and the image of the King constructed by William of Jumièges and William of Poitiers, the contemporary Norman historians of the Conquest, is significant. Both interpretations of King William are certainly exaggerated, at least in parts. Yet despite the recognition of its limitations, it is the Norman version of events from which William the Conqueror's career is largely reconstructed. Any dissenting views,

[16] The Penitential Ordinance was enforced soon after the Conquest and confirmed either in 1067 or 1070 by Ermenfrid of Sion; see George Garnett, 'Coronation and Propaganda: Some Implications of the Norman Claim to the Throne of England in 1066', *Transactions of the Royal Historical Society*, ser. 5, 36 (1986), 91–116 (pp. 95–96); henceforth *TRHS*. For the text of the ordinance, see *Councils & Synods with Other Documents Relating to the English Church*, ed. by D. Whitelock, M. Brett, and C. N. L. Brooke (Oxford: Clarendon Press, 1981), I, pt 2: *A.D. 871–1204: 1066–1204*, pp. 581–84 (English trans.: *English Historical Documents 1042–1189*, ed. by David C. Douglas and George W. Greenaway (London: Eyre & Spottiswoode, 1953), pp. 606–07) (henceforth *EHD*).

[17] *Anglo-Saxon Chronicle*, (D) 1066, p. 200.

which perhaps provide a more accurate reflection of the conquered people's perception of William's kingship, have been smothered by the more detailed evidence provided by both William of Jumièges and William of Poitiers. The discussion that follows aims to determine the relative value of the *Anglo-Saxon Chronicle*'s presentation of King William when seen beside the testimonies of the Norman historians, and whether its evidence can be used to measure the extent of William's success in reconciling the Anglo-Saxons to his rule through the projection of his royal image.

A further dimension is added to this question when Dorothy Bethurum Loomis's research into the composition of the *Institutes of Polity* by Archbishop Wulfstan of York (1002–23) is considered.[18] A political catastrophe on a similar scale to the Norman Conquest of 1066 would seem to have influenced Wulfstan as he revised the text of his *Institutes*. Since the well-being of society depended on each class performing its individual function, Wulfstan attempted in the *Institutes* to define the role and responsibilities of each stratum. His over-riding concern was to reconstruct the fabric of society which he could see breaking up before his eyes. In so doing he amplified the role of the church at the expense of the monarch.[19] Although Wulfstan's political stance was precocious — anticipating the claims of the Gregorian papacy by some sixty or seventy years — his views on kingship were based on Carolingian notions, which advocated the belief that the king was God's vicar on earth with responsibility over both church and state with no superior save God himself.[20] Wulfstan, however, composed the *Institutes* during the reign of King Æthelred II, which culminated in the Danish Conquest in 1013, and Loomis noticed from the revisions which Wulfstan made to his text that these events had exerted a profound effect on his interpretation of the King's position in society. She argued that Wulfstan deliberately switched the order of the King and Bishop, which effectively removed the divine aura that had surrounded the Carolingian-styled king who was both *rex et sacerdos*.[21] In

[18] Dorothy Bethurum Loomis, '*Regnum* and *sacerdotium* in the Early Eleventh Century', in *England Before the Conquest: Studies in Primary Sources Presented to Dorothy Whitelock*, ed. by Peter Clemoes and Kathleen Hughes (Cambridge: Cambridge University Press, 1971), pp. 129–45.

[19] Loomis, '*Regnum* and *sacerdotium*', pp. 129–30.

[20] For the precocity of Wulfstan's political views, Loomis, '*Regnum* and *sacerdotium*', p. 129. For Carolingian views of kingship, see Loomis, '*Regnum* and *sacerdotium*', pp. 130–32.

[21] Loomis, '*Regnum* and *sacerdotium*', pp. 134–38.

Loomis's words, 'the Carolingians make the health of the state depend upon the health of the king, Wulfstan of the church'.[22] With this in mind it is worth considering whether the *Anglo-Saxon Chronicle*'s negative portrayal of William the Conqueror constitutes a fundamental change in the image of royal power and authority in the eyes of the Anglo-Saxons.

The image of William's kingship in the accounts of the conquest of England, as presented by the first generation of Norman historians, is undermined by the probability that their interpretations reflect an official version of events which attempted to justify William's invasion. Indeed, it is of fundamental importance to assess the reliability of these accounts since later writers such as Orderic Vitalis based their narratives of William's reign on these testimonies. William of Jumièges's *Gesta Normannorum Ducum* is the earliest prose account of both the Hastings campaign and of William's career.[23] The proliferation of extant copies has led to the conclusion that it was treated as a contemporary 'textbook' of Norman history because it covered the reigns of all of the dukes of Normandy from Rollo in the tenth century, and by the early twelfth century even included an account of the life of King Henry I.[24] William had completed the *Gesta* before 1060 but, within four years of the Battle of Hastings, he was persuaded to add an account of the conquest of England, probably by King William himself.[25] This account was intended to justify the Conquest; consequently, William of Jumièges perpetuated the dominant theme of his chief source for the earlier history of the duchy — Dudo of St Quentin's *De Moribus et Actis Primorum Normanniae Ducum* — by presenting William the Conqueror as an ideal Christian prince. The dedicatory letter addressed to King William at the beginning of the work sets the tone for William of Jumièges's treatment of him. The King is described as 'holy, victorious and orthodox [...] most prudent and serene', and the poet goes on to stress his 'fine genius' and his 'miraculous and admirable successes'.[26] At the dedication of the abbey church of Jumièges, William is described as 'this ever devout and eager worshipper', and after the Conquest William continued to

[22] Loomis, '*Regnum* and *sacerdotium*', p. 139.

[23] William of Jumièges, Orderic Vitalis, and Robert of Torigni, *Gesta Normannorum Ducum*, ed. and trans. by Elisabeth M. C. van Houts, 2 vols. (Oxford: Clarendon Press, 1992–95), I, p. xlvi (hereafter cited as William of Jumièges).

[24] Emily Albu, *The Normans in Their Histories* (Woodbridge: Boydell, 2001), pp. 52–53.

[25] William of Jumièges, I, p. xlvi and p. xx.

[26] William of Jumièges, I, 4–7.

perform deeds that 'increas[ed] his reputation for devotion'.[27] William of Jumièges adds that Christ conferred 'eternal glory' on Duke Robert and his son, and that William himself was 'adorned with the ring and stole of eternal glory',[28] being variously described as valiant, 'the choicest of princes', 'most noble conqueror' and 'our most illustrious duke'.[29] William's tendency to provide only 'minimal commentary' on the events that he describes, and his intention to write in 'an unadorned style and plain language that is simple and clear for every reader', further undermines the usefulness of his chronicle.[30] Although the *Gesta* is an extremely important source for the history of the duchy, William of Jumièges's presentation of King William is unrealistic in the sense that it was constructed in order to support the Norman justification for the Conquest.

It is possible to describe William of Jumièges's portrayal of King William as a watered-down version of the more stylized work of William of Poitiers. However, in the *Gesta Guillelmi*, William of Poitiers manipulated the theme of the ideal Christian warrior duke which he found in the work of both Dudo of St Quentin and William of Jumièges in order to extol the virtues of King William, to such an extent that he 'subordinat[ed] everything to the praise of the Conqueror [...] suppress[ing], distort[ing] and probably invent[ing] facts, and tediously elaborat[ing] his hero's praises [...] at the expense of authentic details'.[31] Like William of Jumièges, he did this as part of an attempt to legitimize the Conquest; the *Gesta Guillelmi* may have been an attempt to create an official version of events in order to justify the Conquest to the rest of Christendom as well as to the Pope.[32] This aspect of the *Gesta*, together with its classical allusions, has led one historian to describe the

[27] William of Jumièges, II, 173; William of Jumièges, II, 177.

[28] William of Jumièges, II, 91; William of Jumièges, I, 7.

[29] Duke William 'valiantly' crushed the necks of his enemies; see William of Jumièges, I, 91; William of Jumièges, II, 121; William of Jumièges, II, 171.

[30] Albu, *Normans*, p. 54; William of Jumièges, I, 5.

[31] William of Poitiers, *Gesta Guillelmi*, ed. and trans. by R. H. C. Davis and Marjorie Chibnall (Oxford: Clarendon Press, 1998), p. xxviii. The quotation is from Antonia Gransden, *Historical Writing in England c. 550 to c. 1307* (London: Routledge & Kegan Paul, 1974), p. 101.

[32] For the *Gesta Guillelmi* as propaganda, see William of Poitiers, *Gesta Guillelmi*, p. xx; R. H. C. Davis, 'William of Poitiers and His History of William the Conqueror', in *The Writing of History in the Middle Ages: Essays Presented to Richard William Southern*, ed. by R. H. C. Davis and J. M. Wallace-Hadrill (Oxford: Clarendon Press, 1981), pp. 71–100 (repr. in R. H. C. Davis, *From Alfred the Great to Stephen* (London: Hambledon, 1991), pp. 101–30 (p. 104)). For the idea that an official version of events may have been concocted at the ducal court and sent to the papacy see, William of Jumièges, I, p. xlvii.

work as 'nauseatingly sycophantic'.[33] But the *Gesta Guillelmi* belongs to the ancient rhetorical tradition in which classical allusions were commonplace and the author's intention was to convey an 'impression of truth'.[34] The work has also been described as something akin to a book of memoirs, since its author, as a ducal chaplain, must have witnessed several of the events he describes at firsthand.[35] If it is perceived as a piece of propaganda, then many details in the *Gesta*'s portrayal of King William can be interpreted as special pleading. Indeed, it is perhaps more than a coincidence that William of Poitiers praised the King for avoiding the vices highlighted by the annalists of the *Anglo-Saxon Chronicle*. For example, at the very beginning of the *Gesta*, when William became a knight, William of Poitiers reported that 'he began with the utmost zeal to protect the churches of God'.[36] When, as duke, William heard of Count William of Arques's plundering in *c.* 1051, he supposedly 'lamented the goods of churches', and later the author stresses how William of Normandy 'devoted his greatest efforts to things divine'.[37] Similarly William of Poitiers claimed that the King 'distributed liberally what Harold had avariciously shut up in the royal treasure store'; 'he kept his mind free from avarice', and he understood that 'the essence of royal majesty was to excel in conspicuous generosity'.[38] He repeatedly stressed William's clemency, claiming that 'he preferred to spare men's blood, however guilty', and even suggested that William had offered Harold single combat in order to avoid the bloodshed at Hastings.[39] All of these characteristics can be countered with evidence from the *Anglo-Saxon Chronicle*.[40]

[33] J. Gillingham, 'William the Bastard at War', in *Studies in Medieval History Presented to R. Allen Brown*, ed. by Christopher Harper-Bill, Christopher J. Holdsworth, and Janet L. Nelson (Woodbridge: Boydell, 1989), pp. 141–58 (repr. in *Anglo-Norman Warfare*, ed. by Matthew Strickland (Woodbridge: Boydell, 1992), pp. 143–60 (p. 143)).

[34] Richard William Southern, 'Aspects of the European Tradition of Historical Writing: 1. The Classical Tradition from Einhard to Geoffrey of Monmouth', *TRHS*, 20 (1970), 173–96 (pp. 184–85). William of Poitiers was also showing-off; see Gillingham, 'William the Bastard at War', p. 144.

[35] William of Poitiers, *Gesta Guillelmi*, p. xx.

[36] William of Poitiers, *Gesta Guillelmi*, p. 9.

[37] William of Poitiers, *Gesta Guillelmi*, pp. 37 and 79.

[38] William of Poitiers, *Gesta Guillelmi*, pp. 153 and 159.

[39] William of Poitiers, *Gesta Guillelmi*, pp. 61 and 123.

[40] See below.

William of Poitiers's work is full of stock heroic virtues, which make it extremely difficult to accept his self-professed aim to 'purely and simply praise the duke or king [...] never taking a single step beyond the bounds of truth'.[41] Rather, beneath the extravagant prose of the *Gesta Guillelmi* lies a calculated political subtext intended to justify the Norman Conquest of England. To meet this end, William of Poitiers attempted to demonstrate that it was Duke William's destiny to become a king. For instance, at an early point in the narrative of the *Gesta Guillelmi*, he explained King Henry I of France's animosity toward Normandy by claiming that William had almost transformed the duchy into a kingdom.[42] Consequently, William displayed royal virtues and, on several occasions, the author highlights the splendour of William's appearance, his leadership qualities and his military prowess.[43] But William's legendary exploits are so completely intertwined with historical facts that the authority of the *Gesta* is undermined. For example, according to William of Poitiers, it was the sight of Duke William himself rushing into battle and 'spread[ing] terror by slaughter', rather than the military might of the French king, which demoralized the rebels at Val-ès-Dunes in 1047 and thus ensured victory for the Normans.[44] The accuracy of William of Poitiers's presentation of King William in both the *Gesta Normannorum Ducum* and the *Gesta Guillelmi* is compromised by his two-dimensional caricature of an ideal Christian prince.

For the period between 1066 and 1087 there are two extant versions of the *Anglo-Saxon Chronicle*, manuscripts 'D' and 'E', both of which can be described as contemporary accounts.[45] The annalists of the *Anglo-Saxon Chronicle* provide a more balanced assessment since they were not obliged to flatter the King as part

[41] William of Poitiers, *Gesta Guillelmi*, p. 29.

[42] William of Poitiers, *Gesta Guillelmi*, p. 45.

[43] For William's regal appearance, see William of Poitiers, *Gesta Guillelmi*, pp. 9 and 181. For his military prowess against the French in 1054, see William of Poitiers, *Gesta Guillelmi*, p. 47, and forewarning Geoffrey Martel that he was about to make war on him, see William of Poitiers, *Gesta Guillelmi*, p. 51.

[44] William of Poitiers, *Gesta Guillelmi*, p. 11.

[45] The 'D' version appears to have been written in the mid-eleventh century and probably emanates from Worcester. From 1054 there are slight variations in the handwriting which suggest that several entries were added together with short breaks in between. The 'E' manuscript is a copy of a Kentish version of the *Chronicle* which was written in the same hand up to the 1121 annal; the author added local information about Peterborough Abbey; see *Anglo-Saxon Chronicle*, pp. xxv–xxix. As the diagram on p. xxix demonstrates, it is likely that both versions 'D' and 'E' derive from a northern exemplar.

of an effort to justify the Conquest. The 'D' annalist's portrayal of King William is not only less adulatory and, therefore, more realistic but also places William's reign in a long tradition of Anglo-Saxon kingship, judging him according to his commitment to the principles of lordship. These principles had existed between a king and his people since the reign of King Alfred; and, as such, the 'D' annalist's portrayal provides some indication of the conquered Anglo-Saxons' perception of the institution after the Norman Conquest.[46] In both versions, William the Conqueror is presented as a ruthless, sacrilegious, and greedy ruler, who — in the 'D' version — breaks the covenants of lordship by plundering and destroying the land.[47] Almost immediately after the Battle of Hastings, the 'D' annalist complained that William and the Normans were indiscriminately ravaging the country.[48] According to the same version, in 1069 William ravaged York 'and made St Peter's minster a disgrace', and in the same year the 'French' again 'completely ravaged and burned down' the same minster.[49] The 'E' annalist associated William's death in 1087 with the destruction of the town of Mantes where churches were destroyed by fire and two anchorites were burned to death.[50] In 1070 William famously ordered the plundering of all Anglo-Saxon monasteries to discover their hidden wealth, and there are numerous references to William's greed. One of the King's first official actions after his coronation was the imposition of a tax.[51] When William Rufus opened the treasury at Winchester after his coronation, the 'E' annalist claimed that he found there inestimable quantities of gold, silver, purple cloth, gems and other precious things.[52] But William I also possessed the capacity to inspire fear and wonder, as the account of his capture of Ely in 1071 demonstrates.[53] Not only did this account recall the regularity of his crown-wearings at the major religious festivals and the size of the force he brought to England in 1085, but it also served later to confirm 'the

[46] For this theory applied to the annals of William's reign in the 'D' version of the *Anglo-Saxon Chronicle* (the annals from 1065 up to 1080), see Sheppard, *Families of the King*, pp. 121–43.

[47] Sheppard, *Families of the King*, pp. 132–34.

[48] *Anglo-Saxon Chronicle*, (D) 1066, 1067 [1068], pp. 200–02.

[49] *Anglo-Saxon Chronicle*, (D) 1068 [1069], pp. 203–04.

[50] *Anglo-Saxon Chronicle*, (E) 1086 [1087], p. 218.

[51] *Anglo-Saxon Chronicle*, (D) 1071 [1070] and (E) 1070, pp. 204–05; (D) 1066, p. 200.

[52] *Anglo-Saxon Chronicle*, (E) 1086 [1087], p. 222.

[53] For the submission of the rebels at Ely, see *Anglo-Saxon Chronicle*, (E) 1071, pp. 207–08 (also (D) 1072 [1071], pp. 206–08).

thought and very deep conversation with his council' which had been invested in his initiation of the Domesday Inquest.[54] This mixed interpretation, containing both criticism and praise, is summarized in the entry for 1087 in the 'E' version. The annalist claims to have lived for some time at the royal court, and he gives the reader the impression that he was familiar with William. Clearly impressed by the construction of new churches and the establishment of monasteries across England, he describes the King as 'a very wise man, and very powerful, and more worshipful and stronger than any of his predecessors'.[55] But the annalist tempers this praise by adding that William was also 'a very stern man, and violent, so that no one dared do anything against his will'.[56] The poem in commemoration of the King emphasizes his greed and severity and the way in which he oppressed the Anglo-Saxons.[57] The last sentence of the entry echoes these sentiments: 'the greater the talk about just law, the more unlawful things were done'.[58]

This less adulatory image is echoed in Bishop Guy of Amiens's *Carmen de Hastingæ Proelio* in which King William is portrayed as a violent and bloodthirsty warrior. The date and authorship of the *Carmen* has been the source of much controversy, but Elisabeth van Houts has argued that it should be dated to 1067 while, in 1999, Frank Barlow described it as the 'fons et origo' of all the earliest accounts.[59] The *Carmen* is an interesting source because it remains somewhat detached from the ducal court's version of events as presented by William of Jumièges and William of Poitiers. The poem celebrates the French victory at Hastings, vilifies Harold, and justifies William's invasion.[60] If 1067 is accepted as

[54] On the regularity of his crown-wearings, see *Anglo-Saxon Chronicle*, (E) 1086 [1087], p. 219. For the events of 1085, see *Anglo-Saxon Chronicle*, (E) 1085, pp. 215–16.

[55] *Anglo-Saxon Chronicle*, (E), 1086 [1087], p. 219.

[56] *Anglo-Saxon Chronicle*, (E), 1086 [1087], p. 220.

[57] *Anglo-Saxon Chronicle*, (E), 1086 [1087], pp. 220–21.

[58] *Anglo-Saxon Chronicle*, (E) 1086 [1087], p. 218.

[59] Barlow claimed that the identification of the *Carmen* as Guy's poem was hard to disprove; see Guy, Bishop of Amiens, *Carmen de Hastingæ Proelio*, ed. and trans. by Frank Barlow (Oxford: Clarendon Press, 1999), p. xl (hereafter cited as *Carmen*). An early date for its composition of *c.* 1068 is now preferred; see *Carmen*, p. xl. Elisabeth M. C. van Houts, 'Latin Poetry and the Anglo-Norman Court, 1066–1135: The *Carmen de Hastingae Proelio*', *Journal of Medieval History*, 15 (1989), 39–62, suggests at pp. 55–56 that the *Carmen* was composed 'between the beginning of Lent and the early autumn of 1067'; for the quotation, see *Carmen*, pp. xc–xci.

[60] *Carmen*, p. xlii; at the coronation it is the men of 'France' who are addressed; see *Carmen*, p. 49. Guy describes the 'French' army fighting the 'English' (p. 25) and the 'French' military

the date of its composition, then it is possible that the *Carmen* contains a version of events that had not been endorsed by the ducal court. Its portrayal of King William is not necessarily critical; William may well have been flattered by the battlefield prowess which it attributes to him. But such an image would have been far less acceptable to the papacy whose blessing he was trying to gain. For instance, having rebuked his men for retreating, William led them back into the fray: '[a]t the sight of the duke the enemy trembles and falls away [...]. Drawing his sword, he cleaves helmets and shields and even his charger strikes many a corpse'. He attacks Gyrth, Harold's brother, after he had killed his horse 'like a roaring lion [...] tearing him limb from limb'. Then he attacks the Anglo-Saxons 'with the strength of Hercules. Some he beheaded, some he dismembered, and some he devoured with his sword. Many were the souls he dispatched straight to hell.'[61] William kills the 'son of Hellox' in a similarly brutal way: by plunging a spear into him, 'he pierced his groin and spilt his entrails on the ground'.[62] Classical allusions reminiscent of the *Gesta Guillelmi* abound: William is described as 'another Caesar' at the beginning of the poem, and the Battle of Hastings is compared with the battle of Pharsalus between Julius Caesar and Pompey.[63] There are also examples of fawning such as the address to King William in which he is described as 'blessed king [...] from count to king, a title which your noble birth and virtue earned', as well as 'humble and God-fearing', 'an ornament of the empire, the peace and glory of the kingdom', and in a description of the King by an envoy as 'more beautiful than the sun, wiser than Soloman, readier than Pompey, and more bountiful than Charles'.[64] He was even frequently compared to a lion.[65] Nevertheless, Guy of Amiens also emphasized William's ferocity and military skill, and at one point explicitly stated that he gained control of England 'not by his wits but by main force'.[66]

Although the evidence of the *Carmen* suggests that the *Anglo-Saxon Chronicle*'s presentation of King William provides a more realistic picture of his

tactics (p. 27). Van Houts, 'Latin Poetry', p. 56, suggests that the *Carmen* was written at the French court.

[61] *Carmen*, p. 29.

[62] *Carmen*, p. 31.

[63] *Carmen*, pp. 5 and 23.

[64] *Carmen*, p. 5; *Carmen*, p. 23; *Carmen*, p. 19; *Carmen*, p. 45.

[65] For example *Carmen*, p. 27, p. 29 (twice), and p. 15.

[66] *Carmen*, p. 39.

kingship after the Conquest, it is clear that the image of a king in the *Anglo-Saxon Chronicle* was informed by the reputation of his predecessor. This can be demonstrated in its treatment of King Cnut. As a foreign king who, with his father Swein Forkbeard, had overthrown the West Saxon ruling dynasty in 1013 and subdued the Anglo-Saxons following a prolonged process of plundering and pitched battles, Cnut deserved to be hated by the native population, and the institution of kingship ought to have been severely undermined by his Danish background and his country's association with heathen religions. But, although the entries in the *Chronicle* are fewer in number than for the Conqueror, Cnut, in contrast to William, is rarely criticized. In fact, he is presented as an all-powerful ruler; for example, in his instruction that Emma of Normandy was to be 'fetched to him' as his wife.[67] On one occasion the 'D' annalist deferentially referred to Cnut as 'the illustrious king'.[68] By the early twelfth century his popularity had reached an extraordinary height since both William of Malmesbury and Henry of Huntingdon were able to review the full effect of his great efforts to appease the Anglo-Saxons and present himself as a Christian king.[69] Contemporaries could not appreciate the cumulative effect of these policies. Why then did he not suffer the same harsh treatment as that meted out to William the Conqueror?

Cnut's popularity owed much to Æthelred's appalling reputation. Indeed, the reigns of both kings are deliberately linked in the *Anglo-Saxon Chronicle*.[70] Regardless of how far one holds Æthelred personally responsible for the Danish Conquest, it cannot be denied that this event indicated to contemporaries, and must also represent to modern historians, the failure of Anglo-Saxon kingship. Æthelred is presented as a king who fails to carry out his duty of lordship. Following his return to England after Swein Forkbeard's death in 1014, he failed to keep the promises which he made to his people, thus allowing the kingdom to pass into Cnut's hands.[71] Several comments suggest the despair in the country:

[67] *Anglo-Saxon Chronicle*, (D) 1017, p. 154.

[68] *Anglo-Saxon Chronicle*, (D) 1023, p. 156.

[69] William of Malmesbury, *Gesta regum Anglorum*, ed. and trans. by R. A. B. Mynors, completed by Rodney M. Thomson and Michael Winterbottom, 2 vols (Oxford: Clarendon Press, 1998–99), I, 321–25 and 331; Henry, Archdeacon of Huntingdon, *Historia Anglorum*, ed. and trans. by Diana Greenway (Oxford: Clarendon Press, 1996), pp. 361 and 367–69.

[70] Sheppard, *Families of the King*, pp. 94–95.

[71] Sheppard, *Families of the King*, pp. 90–91. Æthelred promised 'that he would be a loyal lord to them, and amend each of the things that they all hated, and that everything that had been

when, in 1009, the King returned to London after a large part of his new fleet was destroyed in pursuit of Wulfnoth, the 'E' annalist exclaimed 'and the deterrent in which the whole English race had confidence, was no better [than that]'.[72] And in 1010, when the King and his counsellors could not decide on a course of action, the annalist lamented: 'In the end there was no head man who wanted to gather an army, but each fled as best as he could; nor even in the end would one shire help another.'[73] In the eyes of the annalist, the King had deserted his people; in 993 and 998 even the leaders of separate Anglo-Saxon armies fled from the invaders.[74] But the duplicity and weakness of the King is intentionally emphasized in order to underline his inability to claim lordship over the people of England.[75] In the entries for 1004 and 1011, the annalist explicitly removes this claim from Æthelred by identifying Ulfcytel, a leader of the East Anglian people, and then Archbishop Ælfheah of Canterbury as the leaders of the *Angelcynn*, the people of England.[76] Æthelred's failure resulted neither from an inability nor a reluctance to fight; the *Anglo-Saxon Chronicle* contains elements of both the hagiographic and homiletic traditions, which urged to the King to fight and parley respectively.[77] Rather, his greatest sin was his incapability to protect England, a failure which he shared with his Witan. Wulfstan of York's *Institutes of Polity* popularized the view that 'through the king's wisdom the people will become prosperous and successful and victorious'; but, if he was to be wise, a good king needed sound advice.[78] The king's most prominent counsellors were unpopular — indeed, in the early twelfth century, William of Malmesbury described Eadric Streona as the 'dregs of mankind'[79] — and their ill-advised policies were openly criticized.[80] The invaders were frequently paid off only to return soon afterwards

done or said against him would be forgiven, provided that they all submitted resolutely to him' (Sheppard's translation of the 'C' version, cited at p. 90).

[72] *Anglo-Saxon Chronicle*, (E) 1009, p. 139.

[73] *Anglo-Saxon Chronicle*, (E) 1010, pp. 140–41.

[74] *Anglo-Saxon Chronicle*, (E, F), 993, pp. 126–27, and (E) 998, p. 131.

[75] Sheppard, *Families of the King*, pp. 85–88.

[76] Sheppard, *Families of the King*, pp. 76–80.

[77] Sheppard, *Families of the King*, p. 72.

[78] Archbishop Wulfstan of York, 'Institutes of Polity', in *Anglo-Saxon Prose*, trans. by Michael Swanton (London: Dent, 1975), p. 126; Sheppard, *Families of the King*, pp. 81–84.

[79] William of Malmesbury, *Gesta*, I, 275.

[80] *Anglo-Saxon Chronicle*, (E) 1011, p. 141.

and naval fleets built at great cost were easily destroyed or badly led.[81] Cnut's popularity, therefore, was a reflection of his predecessor's failure. In stark contrast to his presentation of Æthelred, 'the annalist establishes lordship as the constitutive aspect of Cnut's kingship',[82] characterizing his reign by acts of lordship which tightened his grip on England, and frequently drawing attention to the strength of the bond between the king and his people under Cnut so lacking in Æthelred's reign.[83] By emphasizing how Cnut performed the obligations of lordship and his loyalty toward his people, the annalist presents him as a legitimate ruler of the people of England and identifies him as the inheritor of the tradition of lordship established in Alfred's reign.[84]

Cnut's good fortune was that he followed Æthelred; it was William's bad luck that, although he followed Harold Godwinesson, he essentially succeeded Edward the Confessor. His treatment in the *Anglo-Saxon Chronicle* is, therefore, partly explicable as the inevitable reaction to the successor of a king who understood the responsibilities of lordship and who reacted accordingly when his authority wavered.[85] Furthermore, Edward's popularity with the annalists could at least in part be explained by the poor reputation of Harthacnut of whom the 'C' annalist says that he 'never accomplished anything kingly for as long as he lived'.[86] Nor indeed did Edward do anything exceptional during his reign. In 1044, 1048, and again in 1049 he personally led his forces although he never experienced any fighting.[87] He distributed bishoprics and granted permission for Bishop Leofwine of Lichfield to consecrate the minster at Evesham.[88] However, the effectiveness

[81] For example, thirty thousand pounds was paid to a raiding-army in 1007 and a huge fleet was built in the years 1008 and 1009. However, the fleet was destroyed in pursuit of Wulfnoth and afterwards a raiding-army returned; see *Anglo-Saxon Chronicle*, (E) 1007, 1008, 1009, pp. 138–40.

[82] Sheppard, *Families of the King*, p. 112.

[83] Sheppard, *Families of the King*, pp. 113 and 118.

[84] Sheppard, *Families of the King*, p. 96.

[85] For example, the way in which Edward appeased the Northumbrians after they rebelled against Earl Tostig in 1065; see *Anglo-Saxon Chronicle*, (D) 1065, pp. 191–93, and Sheppard, *Families of the King*, pp. 126–27.

[86] *Anglo-Saxon Chronicle*, (C) 1040, pp. 160–62.

[87] *Anglo-Saxon Chronicle*, (C) 1043 [1044], pp. 163–64; (C) 1048, p. 166; (C) 1049, (D) 1050 [1049] pp. 166–67.

[88] For example, *Anglo-Saxon Chronicle*, (C) 1045, (D) 1046 [1045], (E) 1043 [1045], pp. 164–65 (Hereman succeeds Beorhtwold as Bishop of Ramsbury and Sherborne); (C) 1047, (D)

of his lordship is indicated by the prominence of his counsellors in the annals of his reign, in which important decisions were made only after consultation with his council. One such decision was that of 1043 when, according to the 'D' version, Emma of Normandy, Edward's mother, was deprived of her position on its advice.[89] According to the 'E' version, when Earl Godwin refused to ravage Kent in 1051, Edward summoned his council in order to decide what action to take, and in 1055 the 'C', 'D', and 'E' versions report that Earl Ælfgar was outlawed at a council in London.[90] Yet, the instability of political life during his reign, as clearly indicated by these examples, suggests that Edward's relationship with his people was by no means as strong as the annals suggest. The local lords did not feel the same reverence for their bond with their king as Edward felt for his duties to his people. The 'D' annalist uses this discord as an explanation for the Norman Conquest.[91]

Perhaps with hindsight, the reign of Edward the Confessor is afforded special treatment, in the knowledge that England would suffer the Norman Conquest after his death, or that he brought to England a prolonged period of peace. It is presented as a paradigm of eleventh-century Anglo-Saxon kingship.[92] Jolliffe, in his study of Angevin kingship, thought that the concept of monarchy was 'past analysis' that 'too many elements contribute to it'.[93] While it is true that what defined the institution changed over time and that what was expected of two different kings was never the same, there are some core, basic elements of the institution which applied to the reigns of all rulers of England in the eleventh century. Some are not specifically highlighted in the entries between 1042 and 1066, but all are mentioned in the poem dedicated to Edward the Confessor on his death. This poem occurs in versions 'C' and 'D' of the *Chronicle*, and is

1048 [1047], (E), 1045 [1047], pp. 164–67 (Stigand succeeds Ælfwine at Winchester); (C) 1050 [1051], (D) 1051 [1050], (E) 1048 [1051], pp. 170–72 (Robert Champart replaces Archbishop Eadsige at Canterbury); also (C, D) 1054, pp. 184–85 (Bishop Leofwine of Lichfield to consecrate Evesham).

[89] *Anglo-Saxon Chronicle*, (D) 1043, p. 163.

[90] *Anglo-Saxon Chronicle*, (C) 1054 [1055], p. 184; *Anglo-Saxon Chronicle*, (D, E) 1055, p. 185; *Anglo-Saxon Chronicle*, (E) 1048 [1051], p. 174.

[91] Sheppard, *Families of the King*, pp. 127–28.

[92] Sheppard argued that the poet 'rewrites history in order to commend Edward for his ideal lordship of the Anglo-Saxons'. This is crucial because it legitimizes Edward's choice of Harold as his successor; see Sheppard, *Families of the King*, pp. 127–28.

[93] John Edward Austin Jolliffe, *Angevin Kingship* (London: Black, 1955), p. 4.

intended to extol Edward's virtues. It mentions twelve attributes, the essential qualities of an ideal eleventh-century Anglo-Saxon ruler, and these can be grouped into six broad areas.[94] The first can be described as 'kingly splendour', the phrase used in the poem, referring to Edward's appearance as 'noble in array'. But more than this, it also includes his manner and conduct: 'a king good in virtues, pure and mild', adding, 'Edward, princely king, [t]he blameless king was ever blithe of mood' who also 'distributed riches'. Secondly, Edward was 'skilful in counsel', a 'wise ruler' and the 'ruler of heroes' (something Æthelred could not have claimed). Next, he was expected to govern the Welsh and rule over Britons, Scots, Angles, and Saxons. Fourthly, he had to guard his homeland. Fifth, he possessed a 'righteous soul', and finally, he was 'the nation's king', the phrase that the poem aptly chooses to end on.[95]

The poem is as much in remembrance of the institution of Anglo-Saxon kingship as of the dead king. Edward the Confessor was the last 'nation's king' because Harold had been unable to win the support of all of the Anglo-Saxons, while William had forced his rule onto the Anglo-Saxons through bloodshed and ignored the duties of lordship implicitly cultivated by Cnut.[96] The evidence of the *Anglo-Saxon Chronicle* demonstrates that a fundamental change in the image of kingship took place in England after 1066. Wulfstan of York's *Institutes of Polity*

[94] For the quotations that follow, see *Anglo-Saxon Chronicle*, (C, D) 1065, pp. 192–95. Swanton's translation of the poem is as follows: 'Here King Edward, lord of the English, | sent a righteous soul to Christ, | a holy spirit into God's keeping. | Here in the world he lived for a while | in kingly splendour, skilful in counsel; | 24-and-a-half | in number of years, a noble ruler, | distributed riches. Æthelred's son | ruler of heroes, greatly distinguished, | ruled Welsh and Scots, and Britons too, | Angles and Saxons, combatant champions. | Cold sea waves thus encircle | all youthful men that loyally | obeyed Edward, princely king. | The blameless king was ever blithe of mood, | though long before, bereft of land, | he lived in paths of exile widely through the world, | after Cnut had overcome the race of Æthelred, | and Danes ruled the dear kingdom | of England for 28 years | in number, dispensed riches. | Afterwards came forth, noble in array, | a king good in virtues, pure and mild; | the princely Edward defended homeland, | country and nation, until the very bitter death | suddenly came and seized so dear | a prince from the earth. Angels conveyed the | righteous soul into heaven's light. | However, the wise man committed the kingdom | to a distinguished man, Harold himself, | a princely earl, who at all times | loyally obeyed his superior | in words and deeds, neglecting nothing | of which the nation's king was in need.'

[95] The phrase has to be translated as 'the people's king', which makes the meaning clearer; see *EHD 1042–1189*, p. 141.

[96] Sheppard, *Families of the King*, p. 131

highlighted a change in political thought as a result of Æthelred's reign.[97] The 'D' version of the *Anglo-Saxon Chronicle* suggests that a more catastrophic break occurred in the Anglo-Saxons' perception of kingship in 1066, marking the very end of Anglo-Saxon lordship culture. This culture was alien to a king whose authority was based on the data which he ordered to be collected in the Domesday Survey.[98] After the Conquest, 'land and buildings' provided the foundation of royal authority rather than the king's 'lordship bond with his men'.[99]

The evidence of the *Anglo-Saxon Chronicle* demonstrates the effect on the image of kingship of William's determination to legitimize his accession to the throne as well as his profound misunderstanding of the traditional obligations of lordship which he was expected to perform after his coronation. In the annal for 1087 in the 'E' version his avarice, violence, and love of hunting is criticized, but his wisdom, power, and piety is praised. In his lifetime 'the good order he made in this land is not to be forgotten, so that a man who was of any account could travel over this kingdom with his bosom full of gold, unmolested'.[100] The *Anglo-Saxon Chronicle* suggests that William never successfully reconciled the Anglo-Saxons to his rule; but he did subdue them, not by cultivating the culture of lordship which had served Cnut so well, but rather by rejecting it and promoting his accession as the will of God. Rather than weakening the institution, William's rejection of the tradition of Anglo-Saxon lordship actually strengthened his position. Fear and resentment induced awe, and that only increased the longer he stayed on the throne. The 'gap' between William and his subjects was greater by far than that between Edward the Confessor and his. This gap helped to confirm the notion that William and the Normans were instruments of divine vengeance. Foreign conquests were explained by the will of God: Gildas had perceived the arrival of the Angles and Saxons in this way, as did Wulfstan the later Viking raids. With regard to the Norman Conquest, the popularity of the theory became widespread in the early to mid-twelfth-century: Henry of Huntingdon famously lamented that in 1066 'the Lord, the ruler, brought to completion what he had long planned for the English nation' by delivering them to the Normans as a

[97] A discussion of the more extreme political views of the work of the 'Norman Anonymous' lies outside the scope of this essay. For an edition see, George H. Williams, *The Norman Anonymous of 1100 A.D.* (Cambridge, MA: Harvard University Press, 1951).

[98] Sheppard, *Families of the King*, p. 149.

[99] Sheppard, *Families of the King*, p. 121.

[100] *Anglo-Saxon Chronicle*, (E) 1086 [1087], pp. 219–21; quotation at p. 220.

punishment for their sins.[101] He referred to William as 'the agent of [the Lord's] vengeance'.[102] Unlike the more stylized image of kingship found in William of Poitiers's *Gesta Guillelmi*, and, to a lesser degree, in William of Jumièges's *Gesta Normannorum Ducum*, the *Anglo-Saxon Chronicle*'s presentation of William the Conqueror as a fierce oppressor of the Anglo-Saxons provides a more plausible picture of both the King and the atmosphere in post-Conquest England. It was this impression of England that was reflected in Guitmund's speech in Orderic Vitalis's chronicle. William's brutal subjugation of the Anglo-Saxons, and the new image of kingship it created in England, provided the foundation on which was built the great power and wide authority of the post-Conquest kings of England, which had become so evident by Henry II's reign.

[101] Henry of Huntingdon, p. 385.

[102] Henry of Huntingdon, p. 403.

Dress and authority in the Bayeux Tapestry

Gale R. Owen-Crocker

The Bayeux Tapestry is all about a struggle for power, culminating in violence of the most grotesque kind, in the depiction of the Battle of Hastings. Before that event, however, authority, relative lack of authority, and changing states of authority are signified graphically.

In the years immediately preceding the Norman Conquest, Earl Harold Godwinesson was the most powerful man in England after the king. The oldest surviving son of the immensely rich and ambitious Earl Godwin, Harold had inherited his father's earldom in 1053 and by 1059 was the premier earl of England,[1] heading a dynasty which included three other earls — his younger brothers — and his sister Edith, the king's wife.[2] He established his reputation as a commander, both of fleet and army, in his campaigns against the Welsh, defeating King Gruffydd of Wales in 1063 and condoning, if not actually arranging, his assassination.[3] He himself married Gruffydd's widow, Ealdgyth, soon after, an alliance which secured him the support of her birth family, England's other leading dynasty, which controlled Mercia, East Anglia, and ultimately Northumbria.[4] Harold's only surviving rival among his own kin, his

[1] Evidenced from his attestation of charters; N. J. Higham, 'Harold Godwinesson, 'The Construction of Kingship', in *King Harold II and the Bayeux Tapestry*, ed. by Gale R. Owen-Crocker (Woodbridge: Boydell, 2005), pp. 19–34 (p. 29).

[2] See Frank Barlow, *The Godwins: The Rise and Fall of a Noble Dynasty* (Harlow: Longman, 2002).

[3] Ian W. Walker, *Harold: The Last Anglo-Saxon King* (Stroud: Sutton, 1997), p. 89.

[4] After the exile of Tostig, see below.

brother Tostig, was disgraced and exiled in 1065. Harold's pre-eminence and authority in England during the closing years of Edward the Confessor's reign are therefore undeniable. Yet in the Bayeux Tapestry,[5] which records selected events in English and Norman history from 1064 to 1066, Harold is initially depicted in a series of encounters that demonstrate the power and authority of others. He is briefly elevated to kingship, but his reign is overshadowed by the threat of Norman invasion, which eventually culminates in the Battle of Hastings, Harold's death, the victory of Duke William, and the conquest of England. The frieze has a Latin commentary, but this is succinct, rarely descriptive;[6] and the subtleties of the narrative are not expressed verbally but demonstrated graphically. Authority is shown by the position, attributes, and, most obviously, the dress of the protagonists.

The iconography of power in the Canterbury manuscripts familiar to the designer of the Bayeux Tapestry[7] is often manifested by a seated figure within a structure — a mandorla for the divinity, otherwise a roofed building. In the *Harley Psalter* (London, BL MS Harley 603), itself derived from the *Utrecht Psalter* (Utrecht, Bibliotheek der Rijksuniversiteit, 32, Eccl. 484), although male figures, including kings, going about their business on foot usually wear short tunics, authority figures seated on raised benches wear long garments — the classically inspired *tunica* and *pallium* for religious figures and a long robe and a cloak fastened by a circular brooch for seculars. The Bayeux Tapestry designer adopts the convention of the high seat and long garments to convey authority, though as we shall see, the garments of seated figures are varied, reflecting the degree of power the wearer is able, or willing, to exert in a given situation. The

[5] I retain the conventional name. The frieze is technically an embroidery, not a tapestry.

[6] See Gale R. Owen-Crocker, 'The Embroidered Word: Text in the Bayeux Tapestry', *Medieval Clothing and Textiles*, 2 (2006), 35–59 (pp. 54–56).

[7] The relationship of the Tapestry to manuscripts known to have been owned by and illuminated at St Augustine's, Canterbury, was established by Francis Wormald, 'Style and Design', in *The Bayeux Tapestry*, ed. by Frank Stenton (London: Phaidon, 1st edn 1957; 2nd edn 1965), pp. 25–36, and developed since by several scholars, most notably Cyril Hart, 'The Canterbury Contribution to the Bayeux Tapestry', in *Art and Symbolism in Medieval Europe*, ed. by Guy de Boe and Frans Verhaege, Papers of the 'Medieval Europe Brugge 1997' Conference, 5 (Zellik: Instituut voor het Archeologisch Patrimonium, 1977), pp. 7–15 (pp. 13–14). For my own analysis of the thematic significance of the Tapestry's debt to Canterbury manuscripts, see Gale R. Owen-Crocker, 'Reading the Bayeux Tapestry through Canterbury Eyes', in *Anglo-Saxons: Studies Presented to Cyril Roy Hart*, ed. by Simon Keynes and Alfred P. Smyth (Dublin: Four Courts, 2005), pp. 243–65.

following discussion considers the manifestations of authority through dress in order of appearance.

The most elaborate costume in the Tapestry is that worn by King Edward the Confessor in the opening scene (Scene 1; Wilson, 1;[8] Fig.1). The whole image — a magnificent building framing a richly dressed king with gold crown and sceptre seated on a cushioned, lion-headed bench[9] — creates an initial impression of the utmost importance with regard to the whole of the 70 metre frieze. It indicates that England is a rich, important, and desirable kingdom, and thoroughly justifies the struggle to possess it, which the embroidery narrates. As I have suggested elsewhere, the designer has probably taken as his model for this scene a meeting between King Abimelech and Abraham in the Old English Hexateuch (BL MS Cotton Claudius B IV, fol. 37^{r}).[10] However, where Abimelech's long robes are plain, Edward's costume is elaborate and, in fact, unparalleled in Anglo-Saxon art. He wears no cloak and his green robe is embellished with either a gold torque or gold embroidery at the neck, gold cuffs, and a red and gold belt. Gold buttons or toggles fasten it at the front over a white undergarment. This robe is evidently hitched over the king's knees and a longer robe, of the same colour, is revealed beneath, decorated at shin-level with red and gold bands and a fleur-de-lis matching the motif on his crown. Both the author of the *Vita Ædwardi*[11] and William of Malmesbury[12] mention King Edward's costly and elaborate clothing and attribute it to Queen Edith's taste and industry. Edith was of Scandinavian descent and, as I have suggested elsewhere, may have dressed her husband according to the taste

[8] Reference is made to the scene numbers written on the sixteenth-century backing cloth which are reproduced in the fold-out versions of the Tapestry, *La Tapisserie de Bayeux*, Dessin de Roland Lefranc (Ville de Bayeux, undated) and *La Tapisserie de Bayeux*, Réalisation Edition Artaud Frères (Ville de Bayeux, undated); and to the plate numbers of the colour facsimile, David M. Wilson, *The Bayeux Tapestry* (London: Thames and Hudson, 1985).

[9] For a discussion of the relative status implied by different beast-headed seats in the Tapestry, see Gale R. Owen-Crocker, 'Embroidered Wood: Animal-Headed Posts in the Bayeux Tapestry', in *Aedificia nova*: *Studies in Honor of Rosemary Cramp*, ed. by Catherine Karkov and Helen Damico (Kalamazoo: Medieval Institute, 2008).

[10] Owen-Crocker, 'Through Canterbury Eyes', pp. 249–51.

[11] *The Life of King Edward Who Rests at Westminster: Attributed to a Monk of Saint-Bertin*, ed. and trans. by Frank Barlow, Oxford Medieval Texts, 2nd edn (Oxford: Clarendon Press, 1992), pp. 22–23.

[12] *Gesta*, II, 220, 1; William of Malmesbury, *Gesta regum Anglorum: The History of the English Kings*, ed. and trans. by R. A. B Mynors, Rodney M. Thomson, and Michael Winterbottom, 2 vols (Oxford: Clarendon Press, 1998–99), II, 404.

Fig. 1: King Edward, Bayeux Tapestry, Scene 1. Late eleventh century. Drawn by Gale Owen-Crocker.

of the Scandinavian elite, as attested in the Tapestry by the gold buttons and the fleur-de-lis decoration on the garments.[13] Harold and another man stand before the seated king, wearing short tunics and cloaks, both clearly of inferior rank.

As Harold rides to Bosham (Scene 2, Wilson 2), the hawk on his fist marks him out from the other riders, but his clothing is the same as theirs. When he prays in Bosham Church, handles the steering oar of his cross-channel ship, and arrives at the French coast, he is distinguished from the other men by the cloak he wears (Scenes 3, 5–6, Wilson 3, 5–6). However, as he steps ashore he is apprehended by Count Guy of Ponthieu, whose superior height — he is on horseback — and the forces backing him, bristling with spears, make Harold's vulnerability obvious.

Interestingly, the Tapestry designer gives Guy, a relatively minor figure in history, more costume changes than any character except Harold himself, reflecting his changing role from bully to bullied to bribed. At his first appearance, when he is arresting the English seafarers (Scene 7, Wilson 7; Fig. 2), Guy wears culottes. The culottes, along with cropped hair and absence of moustache, are used fairly systematically in the earlier part of the Tapestry to distinguish the Normans physically from the English.[14] Although Harold is given a striped skirt,[15]

[13] Gale R. Owen-Crocker, *Dress in Anglo-Saxon England*: *Revised and Enlarged Edition* (Woodbridge: Boydell & Brewer, 2004), pp. 242–43. First identified at Birka, Sweden, gold dress ornaments are now known from Viking period excavations in the British Isles: elaborate gold decorations have been found in what are believed to be the graves of elite, tenth-century Vikings at Repton, Derbyshire, see M. Biddle and B. Kjølbye-Biddle, 'Repton and the "Great Heathen Army" 873–874', in *Vikings and the Danelaw: Selected Papers from the Thirteenth Viking Congress*, ed. by James Graham-Campbell and others (Oxford: Oxbow, 2001), pp. 45–96 (pp. 85–86). Woven-wire balls and cones which probably decorated clothing have been found in England, Ireland and the Isle of Man. Most are silver, but an example from Carlisle Cathedral is gold; see Niamh Whitfield, 'Dress and Accessories in the Early Irish Tale "The Wooing of Becfhola"', *Medieval Clothing and Textiles*, 2 (2006), 1–34 (p. 30).

[14] Examined in detail in Gale R. Owen-Crocker, 'The Costume of the Bayeux "Tapestry": Culottes, Tunics, Garters and the Construction of the Hanging', *Costume*, 28 (1994), 1–9.

[15] Olivier Renaudeau, 'The Bayeux Tapestry and its Depiction of Costume: The Problems of Interpretation', in *The Bayeux Tapestry: Embroidering the Facts of History*, ed. by Pierre Bouet, Brian Levy, and François Neveux (Caen: Presses universitaires de Caen, 2004), pp. 237–59 (p. 242), describes the skirt as 'pleated' adding that 'nothing in contemporary iconography or texts offers a clue as to what it might represent'. In fact there is an archaeological parallel for Renaudeau's description in the remains of a pair of tenth-century knee breeches from the harbour excavations at Haithabu, Germany, woven in a crepe technique which resulted in a ribbed effect; see *From Viking to Crusader: The Scandinavians and Europe 800–1200*, ed. by Else Roesdahl and David M.

which distinguishes him from the men around him, he has no cloak and evidently no power to prevent his arrest. He holds a knife but the man with him restrains him from using it.

On his ride, as a captive, to Beaurain, Harold is dignified with a cloak and again carries a hawk on his fist (Scene 8, Wilson 9). He is clearly a distinguished prisoner, a potentially lucrative prize for Guy. He retains his cloak as he is brought before his captor, but his approach is ignominious, sword belt unbuckled. Guy sits in judgement beneath a round building, on a high bench (Fig. 3). The Count adopts the posture of rule, knees splayed out, in a stiffly depicted costume which appears to consist of a longish robe draped over the knees, though the very stylized folds are reminiscent of the culottes which Normans wear when standing or riding. Guy wears this robe over a longer garment with embroidered bands and a marked hem. It is shorter than King Edward's garment, revealing striped leg coverings or garters (which appear intermittently on Normans from the beginning of this scene onwards).[16] He wears a centrally fastened cloak but either it is short or it disappears behind the bench, robbing him of the dignity of a long mantle. He holds a sword, point up, in his left hand in the manner of a sceptre but his grip, which is on the blade rather than the pommel, looks downright dangerous. The message of this slightly odd portrait is clearly that, though Guy's actual authority is limited (by William), at this point in the narrative Guy has power over Harold; and the capture of Harold changes history. It enables William to make Harold his vassal and to extract an oath from him, which will justify William's taking of the English throne from Harold when the oath is broken.

Guy's power over Harold is short-lived. He makes his next appearance facing William's intimidating envoys (Scene 10, Wilson 10–11; Fig. 4.). Guy stands, this time wearing a unique tunic with dark green sleeves, a bodice and skirt filled with alternating rows of red and light green scales edged with dark green, garters of green and yellow, and a longish cloak of yellow with red folds. I have discussed elsewhere the possibility that such a tunic might be made of leather,[17] but the veracity of the garment is not the relevant point here.

Wilson (New York: Rizzoli, 1992), p. 242 . However, I remain convinced that Harold's skirt, which is, unusually, embroidered in stem stitch rather than couching, is iconic rather than realistic.

[16] Owen-Crocker, 'The Costume of the Bayeux "Tapestry"', pp. 5–7.

[17] Gale R. Owen-Crocker, 'The Search for Anglo-Saxon Skin Garments and the Documentary Evidence', *Leather and Fur: Aspects of Early Medieval Trade and Technology*, ed. by Esther A. Cameron (London: Archetype, 1998), pp. 27–43.

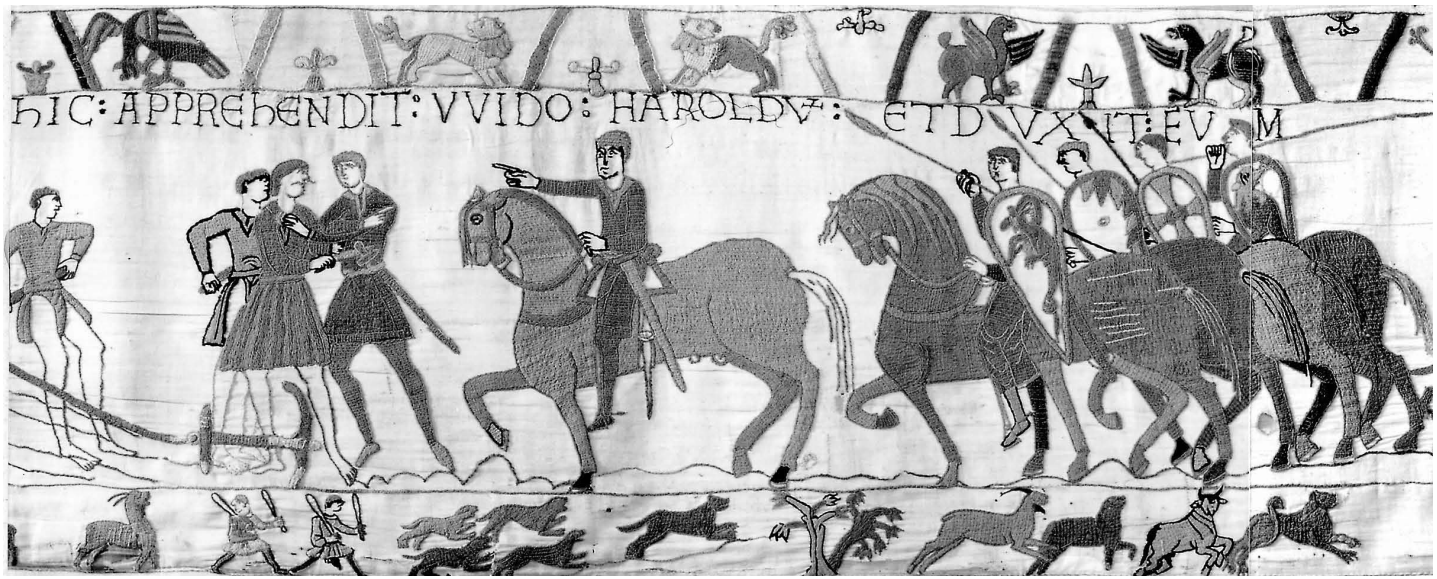

Fig. 2: Guy of Ponthieu apprehends Harold, Bayeux Tapestry, Scene 7. Late eleventh century.
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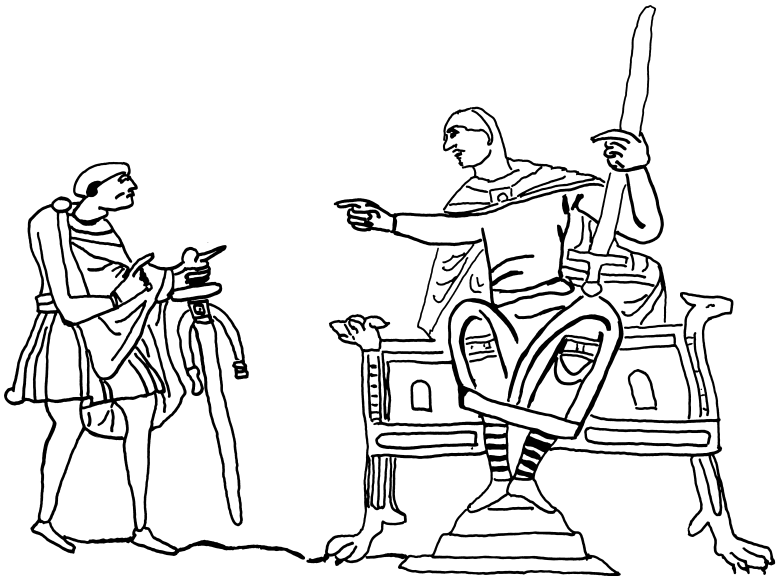

Fig. 3: Guy receives Harold as his prisoner, Bayeux Tapestry, Scene 9.
Late eleventh century. Drawn by Gale Owen-Crocker.

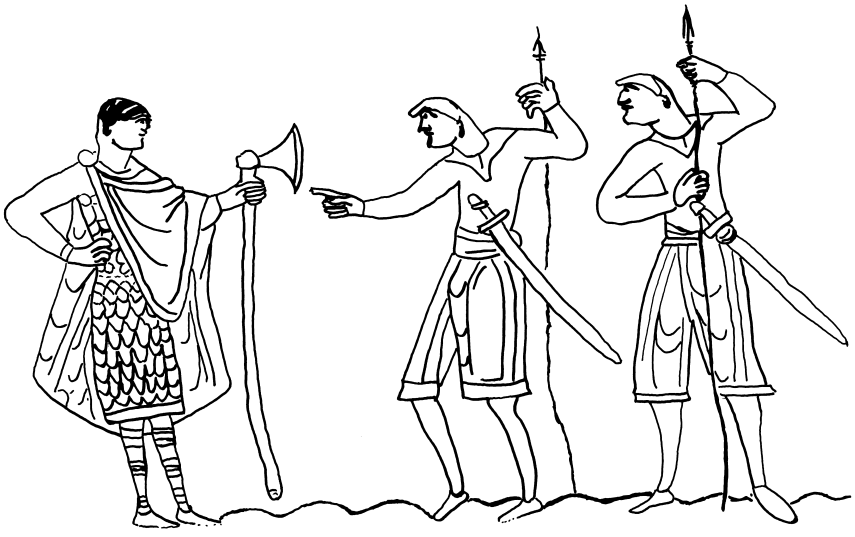

Fig. 4: Guy faces William's envoys, Bayeux Tapestry, Scene 10.
Late eleventh century. Drawn by Gale-Owen Crocker.

This embroidery workshop[18] has previously used colour contrast to distinguish a major actor in a scene — namely Harold in a striped skirt — and it is to focus our attention on Guy that the multicoloured tunic is used now. The figure of Guy gives mixed messages: he leans back slightly as he faces the angular and intimidating figures of William's messengers in their culottes. Guy holds a large axe in an attempt at defiance, but the way his hair is plastered over his face,[19] his hand on his hip, and the fancy garment make him look foppish rather than formidable. Such an impression is in keeping with Harold's contemptuous judgement of Guy as recorded by William of Malmesbury: Malmesbury claims that Harold in his captivity sent a flattering message to Duke William saying that while he was willing to pay him ransom for his release, he would be unwilling to pay out to the effeminate Guy ('semiuiro Guidoni').[20] In a reversal of chronology, William's messengers are seen galloping toward their meeting with Guy (Scene 11, Wilson 12), then William is shown instructing them, in response to an appeal from a small figure, identifiable as English by his moustache, his full head of hair, and his skirted tunic. William sits, his communication with his thuggish-looking envoys conveyed by their pointing fingers around the head of the diminutive supplicant (Scene 12, Wilson 12–13; Fig. 5). The characterization of the envoys is achieved by height (one of them is unnaturally tall), their cropped Norman hairstyle, thrusting stance, and weapons. The depiction of their costume is a little confused: the front man wears a hybrid of tunic-skirt and culottes, the striped gartering on their legs is misplaced![21] However, the envoys' clothing clearly makes the point that the petitioner, in his very full, short skirt and monochrome yellow hose, is a foreigner in their court. The portrait of William is in some respects

[18] Scenes 1 to 13, where the first join occurs, are presumed to have been embroidered by a single workshop. Other workshops probably worked different sections.

[19] The embroidering of individual locks of hair, while not unique, is unusual; the embroiderers normally outline in stem stitch a 'cap' of hair which is filled with couching.

[20] *Gesta*, II, 228, 3; *Gesta*, trans. by Mynors, I, 419. In a forthcoming article, Gale R. Owen-Crocker, 'The Bayeux Tapestry: The Voice from the Border', in *Signs on the Edge: Space, Text and Margin in Medieval Manuscripts*, ed. by Rolf Bremmer and Sarah Keefer, Medievalia Groningana (Paris: Peeters, forthcoming 2007), I follow up a suggestion by Roy Hart ('The Canterbury Contribution', pp. 13–14, Fig. 27) that two centaur-like figures in the upper border are *Homodubii*, timid 'half men', suggesting they further imply contempt for Guy's lack of courage and manliness.

[21] The embroiderer has given both men yellow-and-green stripes on the right leg and red-and-black on the left.

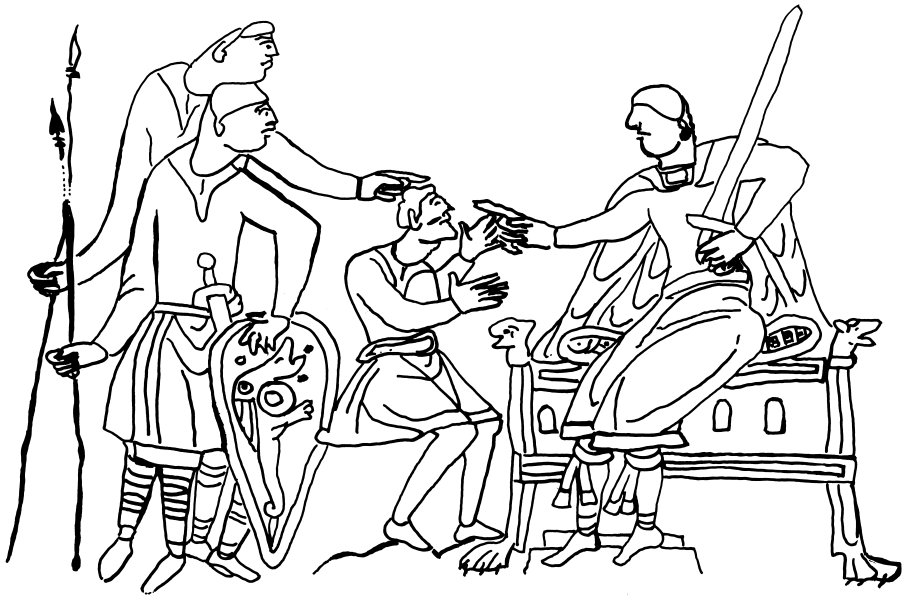

Fig. 5: William, Norman envoys, and English petitioner, Bayeux Tapestry, Scene 12. Late eleventh century. Drawn by Gale Owen-Crocker.

very similar to that of Guy seated (Fig. 3) except that William clasps his sword correctly by the hilt. The resemblance of the two portraits is surely not coincidental; it is part of what Brian Levy has described as 'an ironic moral gloss on the principle of power and possession'.[22] Here, however, the artist has grasped the nettle of depicting the Norman culottes on a seated figure, achieving the effect by placing William sideways, instead of with legs splayed, giving him baggy culottes and garters with pendent ends and tags of a contrasting colour. Throughout the Tapestry William is the only figure to wear garters of this kind, a subtle indication of his importance.

In the climactic scene in which Guy hands Harold over to William (Scene 13, Wilson 14–15; Fig. 6), all three mounted men wear short cloaks and culottes (Harold now, by accident or design, being depicted in the Norman garment); the

[22] 'The authority of a Guy, proudly seated sword in hand on his seemingly imposing throne at Beaurain [...] is quickly undermined by his lord William, who obliges him to hand over his prisoner Harold'; Brian Levy, 'Trifunctionality and Epic Patterning in the Bayeux Tapestry', in *The Bayeux Tapestry: Embroidering the Facts of History* (see n. 15, above), pp. 327–45 (p. 334).

Fig. 6: Guy hands over Harold to William, Bayeux Tapestry, Scene 13. Late eleventh century.
Photo reproduced with special permission of the City of Bayeux.

two Normans also have garters over hose, or striped leg-coverings. William, however, is distinguished by the decoration on his cloak: a broad, gold border with red, circular ornaments, and gold ribbons ending in rhomboid tags. Similar ribbons and tags are seen on King Cnut's (otherwise rather improbable) cloak in BL MS Stowe 944 and are presumably a luxurious touch, indicating rank and authority.[23] Archaeological evidence suggests the cloak-ribbons may be authentic: Elizabeth Coatsworth has suggested that tenth-century decorated bands among the relics of St Cuthbert, now stitched together and known inaccurately as 'Maniple II', were originally ribbons of this kind.[24]A tenth-century male burial excavated at Mammen, Denmark, had a pair of silk ribbons, which were made of looped needle netting, edged with tabby and tablet weave in gold and silk, stuffed with wool for rigidity.[25]

As William interviews Harold in his palace at Rouen (Scene 14, Wilson 16–17, Fig. 7), the Duke is seated but is hardly raised from the floor. The point of his ceremonial sword is downward, resting unthreateningly on his footstool. The artist has placed his legs sideways; he wears culottes and decorated garters. His cloak on this occasion is asymmetrical. The whole image points to a relaxation of the distance between the Norman Duke and the English Earl. Harold, like William, wears a cloak, which differentiates him from the other standing men in the scene. Harold's cloak is long and it billows out around him as he stands in a wide pose, arm and leg extended. He may be William's prisoner, but his high status is indicated by the relative space he occupies in the scene, by virtue of the wide cloak.

As William's army crosses the River Couesnon to begin the Brittany campaign (Scenes 16–17, Wilson 18–20), there is nothing about the clothing to assert the authority of either of the main protagonists. The honours belong to Harold, who rescues Normans from the quicksands around Mont-Saint-Michel, but it is the Latin caption, not his costume, which pinpoints his heroism: 'hic harold dux trahebat eos de arena' (here Duke Harold drags them from the sand). Several riders witness the event, among them a man in a chequered costume who is, I

[23] Gale R. Owen-Crocker, 'Pomp, Piety and Keeping the Woman in Her Place: The Dress of Cnut and Ælfgifu-Emma', *Medieval Clothing and Textiles*, 1 (2005), 41–52 (pp. 46–47).

[24] Elizabeth Coatsworth, 'The Embroideries from the Tomb of St Cuthbert', in *Edward the Elder 899–924*, ed. by N. J. Higham and D. H. Hill (London: Routledge, 2001), pp. 292–306.

[25] Textile C 137; Elisabeth Munksgaard, 'The Embroideries from Bjerrinhøy, Mammen', in *Festskrift til Thorleif Sjovold på 70-årsdagen*, ed. by M. Hogestol, Universitets Oldsaksamlings Skrifter, 5 (Oslo, 1984), pp. 159–71 (p. 162, Fig. 4, and p.163).

believe, William's half-brother Bishop Odo, since Odo wears a similar garment at Scene 54 (Wilson 67) where he is named in the caption.[26] William is probably represented by the armoured figure holding a lance with a pennon to the left of the quicksands scene. He wears a square 'breast-patch'[27] with dangling ribbons or cords, but so does the man behind him and the device appears intermittently throughout the rest of the Tapestry. This 'breast-patch' elaboration to the suit of mail is worn by named protagonists: William, Harold when William presents him with arms (Scene 21, Wilson 24), and by the figure possibly representing Eustace of Boulogne (Scene 55, Wilson 68); but it appears on other anonymous figures too. It may denote wealth, but there is no indication that it shows authority.[28] Neither William nor Harold is identified fighting in the Brittany campaign, either by caption or distinguishing mark, though Harold evidently performed well since William rewards him with a gift of arms.

William's arming of Harold turns prisoner into vassal, and the Englishman is (according to the version of history depicted here) compelled to swear an oath to William.[29] When William appears enthroned watching Harold take his oath at Bayeux (Scene 23, Wilson 25–6; Fig. 8), he wears a long cloak and long robes. Though the Duke's head is turned toward the oath-taking, his body is front-facing, knees apart, in the classic posture of rule shared by Edward at the opening of the Tapestry and Harold at his coronation. William has the power to ensure Harold's compliance and Harold's oath of allegiance empowers William further. It is interesting to note that, as in the discussion at Rouen, the standing figure of Harold is also given a full cloak, which fills the space around him and distinguishes him from the watchers but does not allow him to compete with the seated William in his costume of rulership.

[26] Gale R. Owen-Crocker, 'Brothers, Rivals and the Geometry of the Bayeux Tapestry', in *King Harold II and the Bayeux Tapestry* (see n. 1, above), pp. 109–23 (p. 113).

[27] I take the term from John France, 'The Importance of the Bayeux Tapestry for the History of War', in *The Bayeux Tapestry: Embroidering the Facts of History* (see n. 15, above), pp. 289–99 (p. 298), Plate 5.

[28] France, 'The Importance of the Bayeux Tapestry', p. 296, notes the lack of variation in the armour, both between opposing forces and individuals.

[29] In the version of events related by William of Poitiers, Harold swore an oath to support William of his own free will and before the Brittany campaign; *Gesta Gvillelmi*, I, 42; *The 'Gesta Gvillelmi' of William of Poitiers*, ed. by R. H. C. Davis and Marjorie Chibnall (Oxford: Clarendon Press, 1998), pp. 70–71.

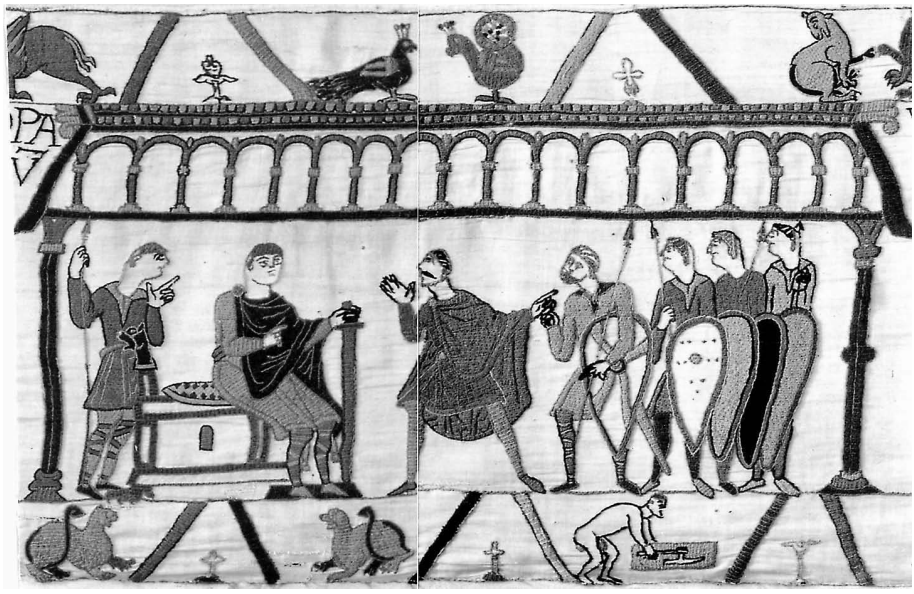

Fig. 7: William and Harold in discussion at Rouen, Bayeux Tapestry, Scene 14. Late eleventh century. Photo reproduced with special permission of the City of Bayeux.

Fig. 8: William watches Harold swearing his oath, Bayeux Tapestry, Scene 23. Late eleventh century. Photo reproduced with special permission of the City of Bayeux.

Fig. 9: Harold crowned, Bayeux Tapestry, Scene 30. Late eleventh century.
Photo reproduced with special permission of the City of Bayeux.

Harold retains the voluminous cloak on his return to England, but his attitude as he approaches Edward is cringing. The king, though now old and infirm,[30] points accusingly at him with full royal authority, crowned and in green robes, ornament over the leg again suggesting a longer garment beneath the upper one, and a long cloak, fastened centrally by an elaborate brooch.

The two images of Edward in his regality have prepared the viewer for the impact of Harold himself transformed into monarch (Scene 30, Wilson 31; Fig. 9). He wears a crown, centrally fastened cloak, and a green robe over a longer yellow one. Seated high on a throne, holding orb and sceptre, Harold gazes out. He is depicted full-face, as is the figure beside him, identified by its Latin label as

[30] His sceptre has been replaced by a walking stick.

Archbishop Stigand. The cleric wears alb, chasuble, stole, and pallium,[31] with a maniple in his hand, giving the full weight of his ecclesiastical authority to Harold's accession.[32] In the scene that follows shortly after, where the appearance of Halley's Comet foretells invasion (Scene 33, Wilson 32–33) Harold's twisted body, in an awkward standing/sitting position, conveys the horror the prediction causes in him. Although he is still backed by a throne and still wears his crown, the absence of the overgarment he wore at his coronation and the relative shortness of his robe rob him of his former dignity. Harold will not appear in the Tapestry again until his death in battle (Scene 57, Wilson 71), when all the items of his armour and equipment are similar to those of the other warriors.

After the two images of Harold enthroned, first triumphant, then threatened, the graphic device of 'power dressing' is applied only to the enemies who will bring him down — William the Conqueror and his family. A messenger having crossed the Channel with the news of Harold's accession (Scene 34, Wilson 33–34) the decision to build ships for an invasion is taken. It is presented as a family conference (Scene 35, Wilson 34–35; Fig. 10); although the figures are not named at this point, by analogy with Scene 44 where they are captioned, they can be identified as William in the centre, with his half-brothers Bishop Odo, tonsured, seated on the right of the picture, and Robert, Count of Mortain standing on the left.[33] The design appears to be based on fol. 31^{v} of the Hexateuch, where Lot, standing, advises his potential sons-in-law to leave the doomed city of Sodom.[34] The Bayeux designer has added a cloak to the standing figure, perhaps to convey authority. William and Odo are seated on high benches and wear the long robes we have come to associate with power. The son-in-law on the left in the Hexateuch, the model for William, is an awkward combination of a standing and seated figure. His tunic has a strangely angular bodice, which is reflected in the straight lines on William's robe. Odo is not dressed in ecclesiastical costume but

[31] See Renaudeau, 'The Bayeux Tapestry and its Depiction of Costume', p. 243.

[32] I recognize that the omission of Ealdred, Archbishop of York, from the scene and the implication that Harold was crowned by the uncanonically consecrated Stigand may possibly be Norman propaganda to undermine Harold's kingship (see Barbara English, 'The Coronation of Harold in the Bayeux Tapestry', in *The Bayeux Tapestry: Embroidering the Facts of History* (see n. 15, above), pp. 347–81 (pp. 377–78)), in which case the weight of Stigand's ecclesiastical authority would be zero, despite his liturgical vestments.

[33] Levy, 'Trifunctionality', p. 338, assumes the left-hand figure is the messenger, and this may be so.

[34] See Owen-Crocker, 'Through Canterbury Eyes', pp. 251–54.

Fig. 10: William makes the decision to build ships, Bayeux Tapestry, Scene 35. Late eleventh century. Photo reproduced with special permission of the City of Bayeux.

in the long robes and asymmetrical cloak of the son-in-law on the right in the Hexateuch drawing.

The robes are more awkwardly handled at the second appearance of the three brothers (Scene 44, Wilson 48; Fig. 11), which the artist appears to have compiled by selective borrowing from two manuscripts.[35] Odo and William have long cloaks fastened with central brooches[36] and robes augmented by what look like short aprons in contrasting colours, apparently an adaptation of the tiered costume worn by Pharaoh and his council in the Hexateuch (fol. 59^{r}). The figure of Robert, seated, but in a shorter garment, appears to have been modified from the image of a corrupt king in a different manuscript, the *Harley Psalter* (fol. 7^{v}); the positions of the feet, the shorter robe, and the horizontal sword crossing at

[35] See Owen-Crocker, 'Through Canterbury Eyes', pp. 254–55.

[36] At the preceding banquet Odo wears a centrally fastened cloak, usually a sign of prestige in English illumination and in the Tapestry, but as the rest of his costume is hidden by the table, I have not included it in the main discussion.

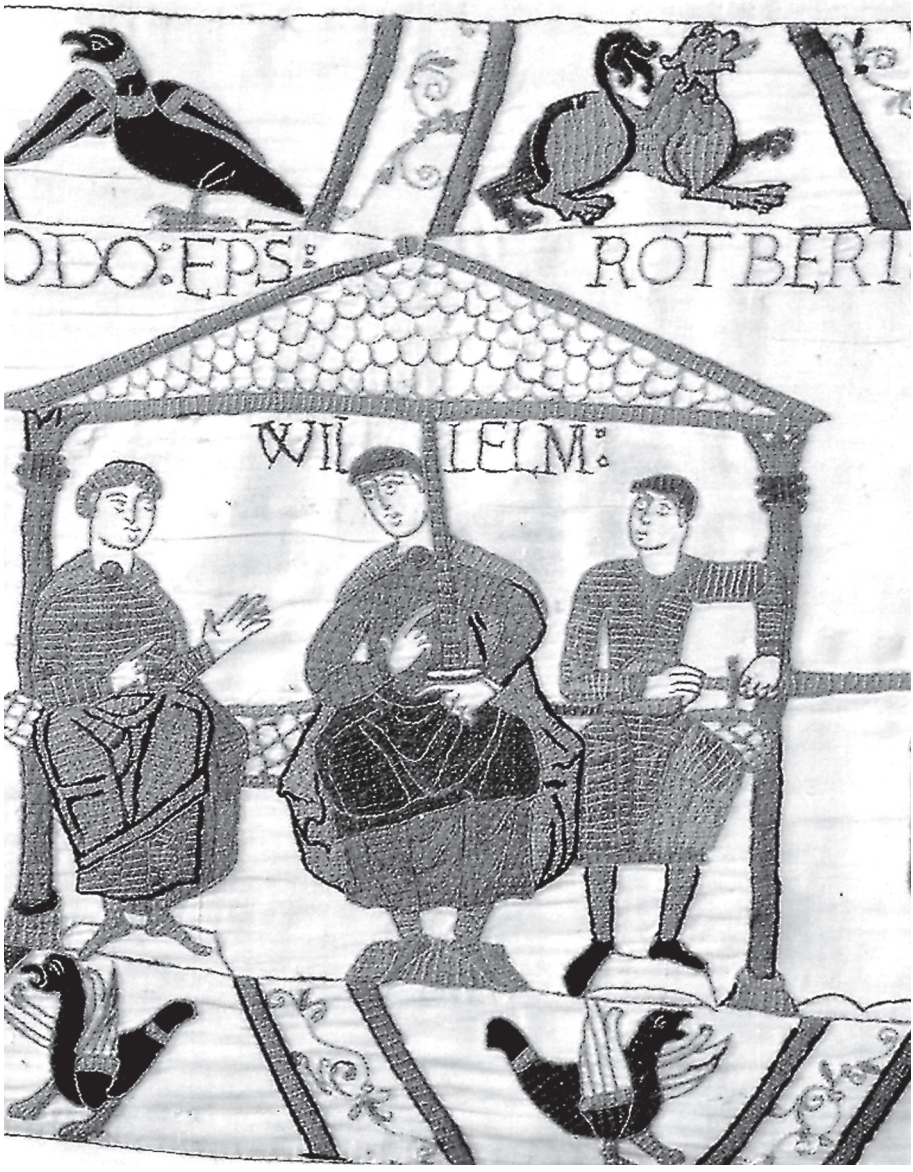

Fig. 11: William and his brothers at Hastings, Bayeux Tapestry, Scene 44. Late eleventh century. Photo reproduced with special permission of the City of Bayeux.

right angles the pillar which supports the roof of the building all resemble this illustration, though the king in *Harley* has a cloak and Robert does not, leaving him looking less authoritative than his brothers.

The fact that this scene, and others in which authority figures are dressed in long robes, are dependent on models, suggests that the Bayeux designer was conscious of the associations of the scenes from which he borrowed in various manuscripts well known to him and his immediate audience, but also that he was not confident about creating images of men in long robes. The long garments had an unmistakable association with authority, which the artist chose to exploit, but perhaps he was not accustomed to seeing them in real life. It is uncertain whether Anglo-Saxon nobility were actually wearing long garments at the time. The occurrence of robes in the Hexateuch is the strongest indication we have that English kings had adopted this costume, at least for ceremonial occasions, by the eleventh century since this manuscript evidently drew some of its inspiration from contemporary life as well as archaic models.[37] Yet many of the drawings in this manuscript are themselves awkward and improbable. It seems likely that English monarchs had, by the eleventh century, come to recognize the grace and dignity of longer garments, influenced in part by the 'kingly image' in Continental-influenced art, and partly by their foreign travels and the visitors who came to England, bearing gifts, and fashionable ideas, from Frankish and Ottonian courts. By the end of the Anglo-Saxon period imported silks were available to the elite. Indeed Edward the Confessor was buried in a figured silk of Persian origin.[38] It is probable that specific garments, as well as the textiles themselves, were introduced. However, historical kings, Athelstan, Edgar, and Cnut, are all portrayed in the short tunic in tenth- and early-eleventh-century manuscripts.[39] Long robes were clearly not everyday wear, even for kings.

The scene of William and his brothers in council at Hastings is the last appearance of long robes in the Tapestry as it remains today. There is one further

[37] See *The Old English Illustrated Hexateuch*, ed. by C. R. Dodwell and P. Clemoes, Early English Manuscripts in Facsimile, 18 (Copenhagen: Rosenkilde and Bagger, 1974), p. 66.

[38] Hero Granger-Taylor, 'Silk from the Tomb of Edward the Confessor', in David Buckton, *Byzantium: Treasures of Byzantine Art and Culture* (London: British Museum, 1994), no. 166, pp. 151–53.

[39] Athelstan in Cambridge, Corpus Christ College MS 183, fol 1^{v}; Edgar in BL MS Cotton Vespasian A VIII, fol 2^{v}; Cnut in BL MS Stowe 944, fol.6^{r}. Athelstan and Cnut, however, are standing, while Edgar is prostrate. When Edgar is represented seated (in the eleventh-century manuscript BL Cotton Tiberius A III, fol. 2^{v}), it is in long robes.

instance of William on a raised seat as he receives a messenger (Scene 46, Wilson 50), but he is dressed in culottes and the artist has once more employed the device of placing the figure's knees sideways. The Duke's authority here is largely conveyed by his raised bench and the pennon he holds; however it is reinforced by the long cloak which sweeps around and under him.

After this point, William, like Harold, disappears into the anonymity of helmet and mail. That this costume genuinely lacked individuality is attested by the fact that William was forced to tip back his helmet and show his face in the midst of the battle to demonstrate that, contrary to rumour,[40] he was still alive (Scene 55, Wilson 68). The Tapestry breaks off at the fifty-eighth scene, which shows the English in retreat. The present end is much restored and clearly some of the frieze (an unknown quantity) has been lost. Many commentators suspect that the Tapestry originally ended with William crowned king of England, and if so, he very probably wore robes of authority to match or surpass those of Edward the Confessor at the opening of the Tapestry; but we will probably never know.

[40] The rumour that William was dead is also recorded by William of Poitiers, but in this version it was William's voice which rallied his troops; *Gesta*, II, 17–18; *Gesta Gvillelmi*, pp. 128–31; however, Baudri de Bourgueil's poem *Adelae Comitissae* notes the removal of the helmet: *Et subito galeam submouet a capite*; *Baldricus Burgulianus Carmina*, ed. by Kalheinz Hilbert, Editiones Heidelburgenses, 19 (Heidelberg: Carl Winter Universitätsverlag, 1979), no. 134, p. 160, line 432; translated as 'Taking his helmet off, quickly he shows his face', in Monika Otter, 'Baudri of Bourgueil "To Countess Adela"', *Journal of Medieval Latin*, 11 (2001), 60–141 (p. 76), line 432.

Ostentation, Power, and Family Competition in Late-Medieval Rome: The Earliest Chapels at S. Maria in Aracoeli

by Claudia Bolgia

In July 1347, soon after having received the title of Tribune, Cola di Rienzo wrote to Pope Clement VI in Avignon, reporting on his struggle against the Roman *baroni*, saying that he had ordered the removal and destruction of all the tyrants' coats of arms painted in Roman buildings.[1] This statement can be understood only in the context of the popular revolution of May 1347, when Cola and the other conspirators used the opportunity of the absence of the baronial

An earlier version of this paper was delivered at the 2003 International Medieval Congress, Leeds, as part of a session I organized on 'Ruling Elites: Artistic Patronage as Public Statement of Political Power and Social Status; Rome and Northern Italy from the Twelfth to Fourteenth Centuries'. I am grateful to that audience and in particular to the session's moderator, Dale Kinney, and to Andreas Rehberg, for fruitful and thought-provoking comments. I would also like to thank Julian Gardner and Brenda Bolton for reading an earlier version of this paper and for providing invaluable advice. This article forms part of a much broader project on private family chapels in Italy in the late thirteenth and early fourteenth centuries which I have been currently undertaking. To study family chapels entails consideration of changes in religious practices, the growth of the mendicant orders, and developments in urban society: I am focusing here on the Roman families and the usage of chapels as power ostentation, but it should be remembered that this is only one aspect of a far more extensive question.

[1] Letter to Clement VI, 8 July 1347: 'Et quod nullam armorum picturam Ursinorum, Columnensium, Sabellensium et aliorum quorumqunque magnatum, quibus singole Romane domus erant inscripte, haberent in domibus suis, deferrent in scutis, nisis solum arma sancte Ecclesie Sanctitatisque vestre et Romani populi. Et statim extitit factum ita nam statim omnes tyrannorum armorum depictiones sunt abolite et delete'; cited after Annibale Gabrielli, *Epistolario di Cola di Rienzo*, Fonti per la Storia d'Italia, 6 (Rome, 1890), pp. 20–27 (pp. 21–22).

militia from the city to lead a rival militia to the Capitol and to seize power, announcing new ordinances.[2] But what is to be discussed here is an earlier phase of the struggle between the barons, when they first began ostentatiously to display their power and authority in the very centre of Rome's communal life through the construction of prominent family chapels annexed to S. Maria in Aracoeli, the great Franciscan church on the Capitoline Hill (Fig. 12).[3]

All three baronial families expressly mentioned by Cola and termed by him as 'tyrants' — Savelli, Orsini, and Colonna — had featured prominently on the Capitoline Hill for more than a century.[4] The Savelli boldly exhibited their mosaic coats of arms on the south face of the Aracoeli transept (Fig. 13), whose internal space was literally invaded by their private family chapel.[5] The Orsini displayed their heraldic emblems on the facade of the Palazzo Senatorio, if one can accept the image of Rome in the Evangelists' vault at Assisi as accurately

[2] The best book on fourteenth-century Roman society is still Robert Brentano, *Rome before Avignon: A Social History of Thirteenth-Century Rome* (New York: Basic Books, 1974; 2nd edn, London: Longman, 1990) which, despite the title, draws heavily upon fourteenth-century sources. Also helpful is the collection of essays on thirteenth- and fourteenth-century Rome edited by Étienne Hubert: *Roma nei secoli XIII e XIV: Cinque saggi*, Collection de l'École française de Rome, 170 (Rome: École française de Rome, 1993), pp. 43–86. On Cola di Rienzo, see Amanda Collins, 'Cola di Rienzo, the Lateran Basilica, and the *Lex de Imperio* of Vespasian', *Mediaeval Studies*, 60 (1998), 159–83; Tommaso Di Carpegna Falconieri, *Cola di Rienzo* (Rome: Salerno editrice, 2002); Amanda Collins, *Greater than Emperor: Cola di Rienzo (ca. 1313–54) and the World of Fourteenth-Century Rome* (Ann Arbor: University of Michigan Press, 2002), in particular pp. 131–39, discussing the numerous Roman precedents for Cola's revolution.

[3] See Claudia Bolgia, 'The Church of S. Maria in Aracoeli, Rome: From the Earliest Times to *circa* 1400' (unpublished doctoral dissertation, University of Warwick, 2004) which I am currently turning into a book.

[4] On the rise of these familes see Sandro Carocci, *Baroni di Roma: Dominazioni signorili e lignaggi aristocratici nel Duecento e nel primo Trecento*, Nuovi studi storici, 23 (Rome: Istituto storico italiano per il Medio Evo, 1993). On the importance of the Aracoeli as a place of burial for the most important Roman families, see Serena Romano, 'L'Aracoeli, il Campidoglio, e le famiglie romane del Duecento', in *Roma medievale: Aggiornamenti*, ed. by Paolo Delogu (Florence: Edizioni all'Insegna del Giglio, 1998), pp. 193–209.

[5] On the Savelli chapel, see Ingo Herklotz, 'I Savelli e le loro cappelle di famiglia', in *Roma anno 1300*, Atti della IV Settimana di Studi di Storia dell'Arte Medievale dell'Università di Roma 'La Sapienza', Roma 19–24 maggio 1980, ed. by Angiola Maria Romanini (Rome: L'Erma di Bretschneider, 1983), pp. 567–84.

representing Roman monuments of the time.[6] The Colonna had also their private chapel at the Aracoeli, where Cola would allow neither the funeral nor the burial of Stefano, Janni, and Piero d'Agapito. Cola's life records the episode: 'The three bodies, covered with golden mantles, were carried into Santa Maria by the friars into the chapel of the Colonna. The countesses came with a multitude of women, tearing their hair, to weep and mourn over the dead, over the bodies of Stefano, Janni and Pietro de Agabito; the tribune had them driven away, and refused to allow any honour or obsequies.'[7] The corpses were then secretly carried to the Church of S. Silvestro in Capite and 'buried by the nuns without lament'.[8]

From 1285, S. Silvestro in Capite had been assigned to the Minoresses who had lived with the blessed Margherita Colonna in Palestrina.[9] The sisters were recruited largely from this same family, and the Colonna owned more than one chapel in the church, as the extant mediaeval mosaic shields demonstrate[10] (Fig. 14). Another Colonna chapel was constructed in S. Maria in Aquiro in 1295, but it probably belonged to a different branch of the family.[11]

[6] The reliability of the painted palace is suggested by frescoes with the Orsini shields uncovered on the reverse of the facade of the Senatorial Palace. See Maria Andaloro, 'Ancora una volta sull'Ytalia di Cimabue', *Arte medievale*, 2 (1984), 143–77; Serena Romano, 'La facciata medievale del Palazzo Senatorio: I documenti, i dati, e le nuove ipotesi di lavoro', in *La facciata del Palazzo Senatorio in Campidoglio: Momenti di storia urbana di Roma*, ed. by Maria Elisa Tittoni (Ospedaletto: Pacini, 1994), pp. 39–61.

[7] *The Life of Cola di Rienzo*, ed. by John Wright (Toronto: Pontifical Institute of Mediaeval Studies, 1975), p. 87.

[8] *The Life of Cola di Rienzo*, p. 87.

[9] Significantly, their acquisition of the monastery was aided by Girolamo Masci, the Cardinal Bishop of Palestrina and the future Nicholas IV, a Colonna man. See Brentano, *Rome before Avignon*, p. 242.

[10] On the close links between the Colonna and the monastery of S. Silvestro in Capite, see Giulia Barone, 'Margherita Colonna e le Clarisse di S. Silvestro in Capite', in *Roma anno 1300* (see n. 5, above), pp. 799–805; Étienne Hubert, 'Économie de la propriété immobilière: Les établissements religieux et leurs patrimoines au XIV^e^ siècle', in *Roma nei secoli XIII e XIV* (see n. 2. above), pp. 188–93, including a list of the nunnery's abbesses from 1285 to 1400 (p. 188, n. 36).

[11] Julian Gardner, 'The Family Chapel: Artistic Patronage and Architectural Transformation in Italy *circa* 1275–1325', in *Art, Cérémonial et Liturgie au moyen âge*, Actes du Colloque de 3^e^ Cycle Romand de Lettres Lausanne-Fribourg, 24–25 March, 14–15 April, 12–13 May 2000 (Rome: Viella, 2002), pp. 545–58 (p. 552).

Fig. 12: S. Maria in Aracoeli, Rome. Late thirteenth century.
Photo courtesy of Claudia Bolgia.

Fig. 13: S. Maria in Aracoeli, exterior of the Savelli chapel, mosaic shield of the Savelli family, Rome. Photo courtesy of Claudia Bolgia.

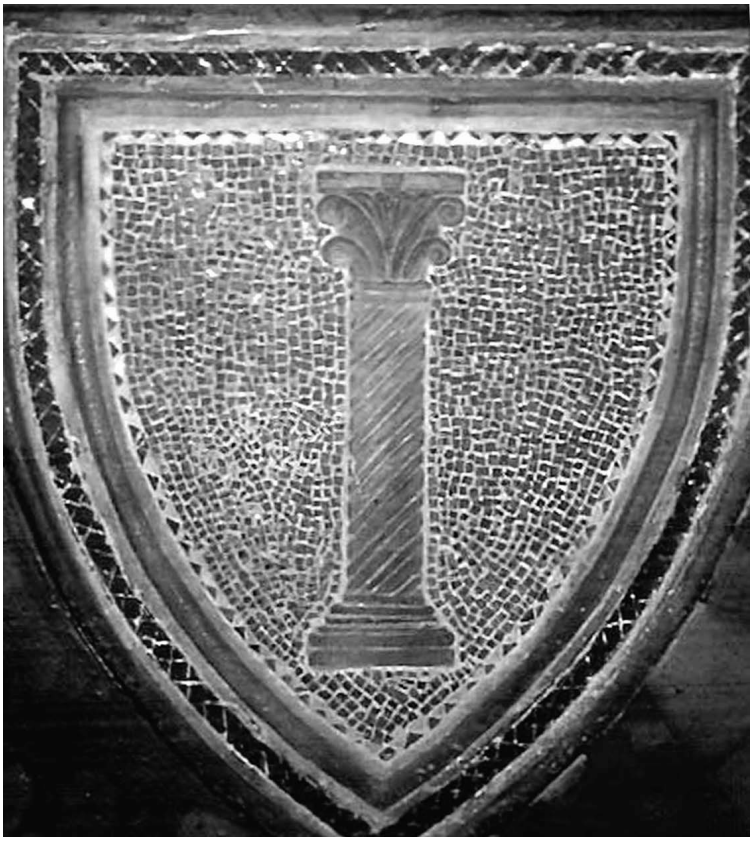

Fig. 14: S. Silvestro in Capite, Colonna chapel, mosaic shield of the Colonna family, Rome. Photo courtesy of Claudia Bolgia.

The Colonna chapel at the Aracoeli still exists, although some scholars have mistakenly associated the episode involving Cola with the Church of S. Maria sopra Minerva, and have tried unsuccessfully to locate the chapel there.[12] No known contemporary documentation for the chapel survives: the will of the papal chaplain, Pietro Colonna, drafted in July 1290, stated that, should Pietro die in Rome, he wished to be buried in S. Maria in Capitolio, but there is no direct

[12] Giancarlo Palmerio and Gabriella Villetti, *Storia edilizia di S. Maria sopra Minerva in Roma: 1275–1870* (Rome: Viella, 1989), pp. 51–52.

reference to the construction of a chapel proper.[13] An indirect reference to a chapel might, however, be explained by the fact that Pietro left one hundred florins to the Friars Minor there, which was a similar sum to that left in 1296 by the merchant Aduardo di Pietro Sassone in order to build an oratory for his burial in the same church.[14]

As it is so often the case for a mediaeval building, the historical circumstances of its commissioning, including the patrons' motives and aspirations, can only be reconstructed from the physical appearance of the monument itself. The Colonna chapel has been identified with the ninth chapel on the left side (Fig. 15).[15] The principal evidence in favour of this identification is a fragmentary mosaic which was removed from one of the convent cloisters and brought to Palazzo Colonna in 1652: it was associated with the chapel by Pompeo Ugonio in his late-sixteenth-century description (Fig. 16).[16] The mosaic depicts the Madonna with the Child flanked, on the left, by St John the Evangelist, St Francis, and a small-scale kneeling donor in magistrates' clothes labelled as 'S[an]C[t]E D[e]I GENITRICIS SERVUS D[omi]N[u]S IOH[annes] DE COLU[m]PNA'. At the extreme left is the Colonna shield.

From the interior it would appear that the chapel was rebuilt in the late sixteenth century; nevertheless, part of the mediaeval structure has survived, although it has not been studied. Major questions involve its chronological relationship with the church, possible date, and original appearance.[17]

[13] 'Si in Urbe decesser[it] v[ult] se sepelliri apud ecclesiam b[eatae] Mariae fratrum minorum de Capitolio quibus dari v[ult] .C. florenos, et sepelliri apud ecclesiam [eorum]'; cited after Vincenzo Federici, 'Regesto del monastero di S. Silvestro de Capite. II', *Archivio della Regia Società Romana di Storia Patria*, 23 (1900), 67–128, 411–47 (pp. 426–28, no. 183).

[14] Vatican City, Archivio Segreto Vaticano, *Fondo Celestini*, no. 8: 'Relinquo dicte ecclesie Sanctae Marie de Capitolio centum florenos auri, in qua michi eligo sepulturam, de quibus fiat una capella in qua me iubeo sepelliri'; cited after Robert Brentano, 'Death in Gualdo Tadino and in Rome (1240–1296)', *Studia Gratiana*, 19 (1976), 79–100. The Sassone patronage is discussed below.

[15] Livario Oliger, 'Due musaici con S. Francesco della chiesa di Aracoeli in Roma', *Archivum Franciscanum Historicum*, 4 (1911), 213–51.

[16] Oliger, 'Due musaici', pp. 213–51 (p. 236). I shall return to this point below.

[17] According to Malmstrom this is 'the most important unsolved problem' regarding the medieval Aracoeli: Ronald E. Malmstrom, 'S. Maria in Aracoeli at Rome' (unpublished doctoral dissertation, University of New York, 1973), p. 171. A detailed technical analysis can be found in Bolgia, 'S. Maria in Aracoeli', pp. 103–18, Figs 67–82, and in my forthcoming book. What follows is an abstract of the main results of that analysis.

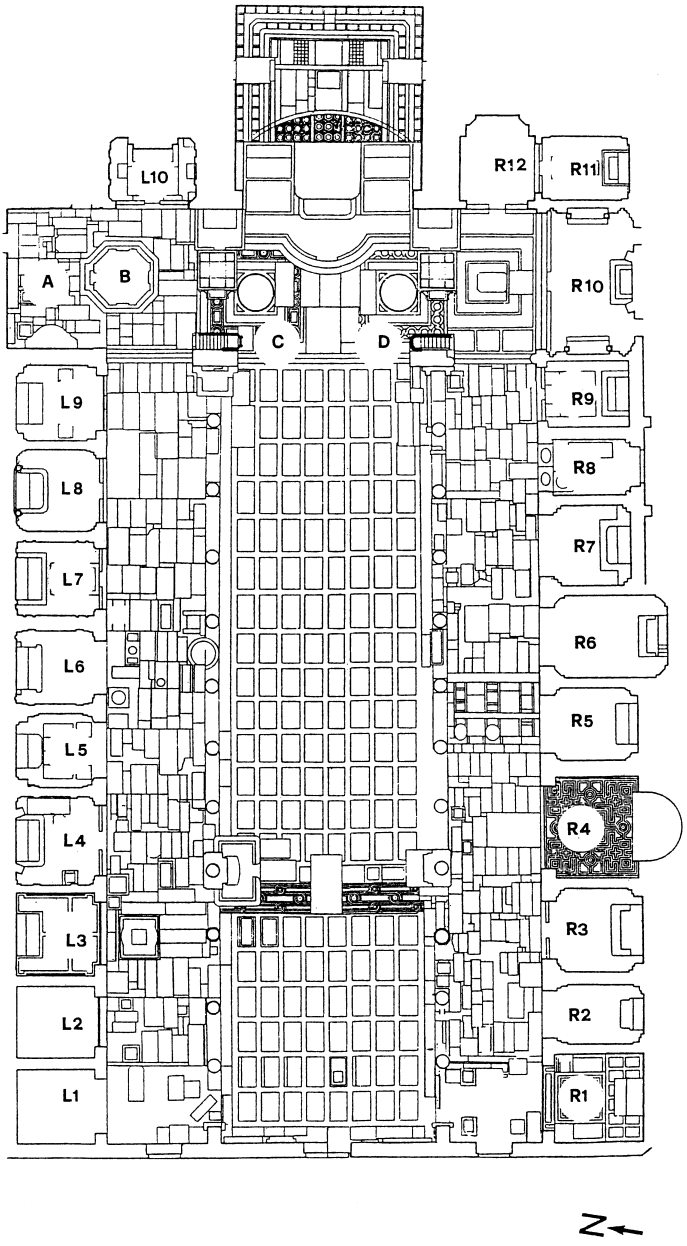

Fig. 15: Plan of S. Maria in Aracoeli (after Pietrangeli, *Capitolium*, 40–44, 1965, pp. 192–93, modified by the author). Photo courtesy of Claudia Bolgia.

Fig. 16: Palazzo Colonna, mosaic frieze from the Colonna chapel at S. Maria in Aracoeli, Rome. Photo courtesy of Claudia Bolgia.

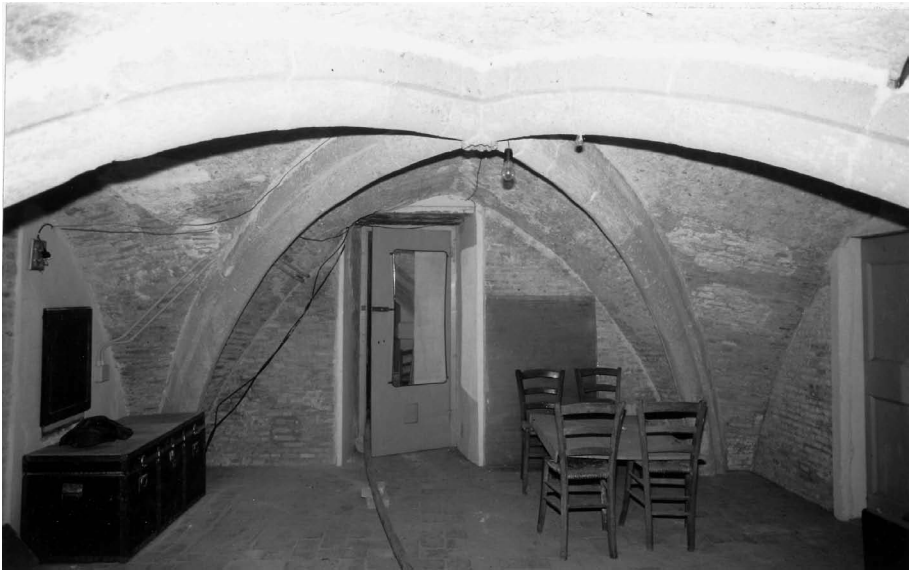

Fig. 17: S. Maria in Aracoeli, ninth chapel on the left (north) side (L9 in Fig. 15), 'upper room', Rome. Photo courtesy of Claudia Bolgia.

Fig. 18: S. Maria in Aracoeli, ninth chapel on the left side, 'upper room', blocked-up window, Rome. Photo courtesy of Claudia Bolgia.

At the end of the sixteenth century the chapel space was reduced in height, so that it is now composed of two rooms, one above the other. The lower one is the present chapel dedicated to the 'Madonna di Loreto'.[18] The upper room, which is invisible from within the church and can be reached only by a stairway from the present souvenir shop, is a very irregular rectangle, *circa* two metres high (Fig. 17). A close examination of the brick-joints reveals that the chapel is built against the transept arm, and that the aisle wall was broken through in order to add the chapel. This means that it was constructed later than the church itself and opened off the left aisle.

The west wall (Fig. 18), built (as all the others in the room) of reused bricks with a modulus of 24–25cm,[19] shows in the centre — at the present floor level — the apex of a pointed window which was apparently filled in when the adjacent chapel was constructed. The north wall can be analysed from the exterior (Fig. 19): the right jamb of a pointed window and the beginning of its arch can be recognized.

The room is covered by a groin vault with four ribs carved from *peperino* blocks, whose profile consists of a keeled *torus* on a rectangular base; the keystone shows a flower with six heart-shaped petals (Fig. 20). The type of rib seems to have been common in the thirteenth and beginning of the fourteenth century, but not later, when more elaborate rib profiles were employed. Three comparable examples can be found in Rome: one is the present side entrance of the Aracoeli itself, the eighth chapel on the right side (Fig. 21), the second is the Palace Chapel of St Laurence (the *Sancta Sanctorum*) at the Lateran, built by Pope Nicholas III (1277–80), the third is the present sacristy (probably the abbot's chapel originally) of the Cistercian monastery of Tre Fontane, which shows a keystone very similar to the Aracoeli one and has been tentatively ascribed to the late thirteenth or beginning of the fourteenth century.[20] The modulus of 24–26cm is

[18] The architectural remodelling was undertaken between 1597 and 1598 by Onorio Longhi, while the fresco decoration is a work of Marzio Gramassini: Carlo Pietrangeli, 'Storia e architettura dell'Aracoeli', *Capitolium*, 40 (1965), 187–95 (p. 191); Marina Carta and Laura Russo, *Santa Maria in Aracoeli*, Le chiese di Roma illustrate, n.s. 22 (Rome: Istituto nazionale di studi romani, Fratelli Palombi, 1988), pp. 133–36. Probably since the late-sixteenth-century remodelling, the chapel has been dedicated to the Madonna di Loreto. Above the altar there is a canvas depicting the 'Madonna di Loreto', dated between the late sixteenth century and the beginning of the following one. See Carta and Russo, *Santa Maria in Aracoeli*, p. 134.

[19] A 5 × 5 module is a masonry module of five bricks and five mortar beds.

[20] On the architecture of the *Sancta Sanctorum*, see Julian Gardner, 'L'architettura del *Sancta Sanctorum*', in *Sancta Sanctorum*, ed. by Carlo Pietrangeli (Milan: Electa, 1995), pp. 19–37, which includes a photograph of the vault; on the Tre Fontane chapel, see Joan E. Barclay Lloyd, *Ss.*

found in Roman buildings datable to the late thirteenth and early fourteenth century.[21]

To summarize, the room was built later than the church and this feat was achieved by partly excavating its perimeter wall; two pointed, narrow, windows pierced the upper parts of the free-standing walls: an indisputable indication that no adjacent chapel was originally planned. A possible date, on the basis of formal analysis, is from the late thirteenth to the beginning of the fourteenth century. The chapel had the corners reinforced with pilasters and was very tall, rising *circa* two metres above the height of the aisle: it must have seemed a monumental towering structure when compared with other more or less contemporary private chapels annexed to churches at Assisi, Florence, or Naples.[22]

At the Aracoeli, however, the seventh, eighth, and ninth chapels on the right side are also much taller than the aisles (Fig. 22). This has always been considered puzzling, perhaps giving rise to the untenable interpretation of these chambers as a tribunal where the Roman Senator administered justice.[23] Nevertheless, if seen from outside, they appear to be the same height as the Colonna oratory, on the other side of the church.

Vincenzo e Anastasio at Tre Fontane near Rome: History and Architecture of a Medieval Cistercian Abbey, Cistercian Studies Series, 198 (Kalamazoo: Cistercian Publications, 2006), pp. 153–59, also with a photograph.

[21] On building techniques in medieval Rome, see Joan E. Barclay Lloyd, 'Masonry Techniques in Mediaeval Rome *c.* 1080–*c.* 1300', *Papers of the British School at Rome*, 53 (1985), 225–77.

[22] On Assisi, see Irene Hueck, 'Die Kapellen der Basilika S. Francesco in Assisi: Die Auftraggeber und die Franziskaner', in *Patronage and Public in the Trecento*, Proceedings of the St Lambrecht Symposium, Abtei St Lambrecht, Styria, 16–19 July 1984, ed. by Vincent Moleta (Florence: Olschki, 1986), pp. 81–104; on Florence, see Annegret Höger, 'Studien zur Entstehung der Familienkapelle und zu FamilienKapellen und -altären des Trecento in Florentiner Kirchen' (unpublished doctoral dissertation, University of Bonn, 1976); Ena Giurescu, 'Trecento Family Chapels in Santa Maria Novella and Santa Croce: Architecture, Patronage and Competition' (unpublished doctoral dissertation, University of New York, 1997); on Naples, see Caroline Bruzelius, *The Stones of Naples: Church Building in Angevin Italy, 1266–1343* (New Haven: Yale University Press, 2004).

[23] This interpretation has been invalidated on the basis of documentary evidence by Claudia Bolgia, 'The So-called "Tribunal" of Arnolfo di Cambio at S. Maria in Aracoeli, Rome', *Burlington Magazine*, 143 (2001), 753–55.

Fig. 19: S. Maria in Aracoeli, ninth chapel on the left side, exterior, Rome. Photo courtesy of Claudia Bolgia.

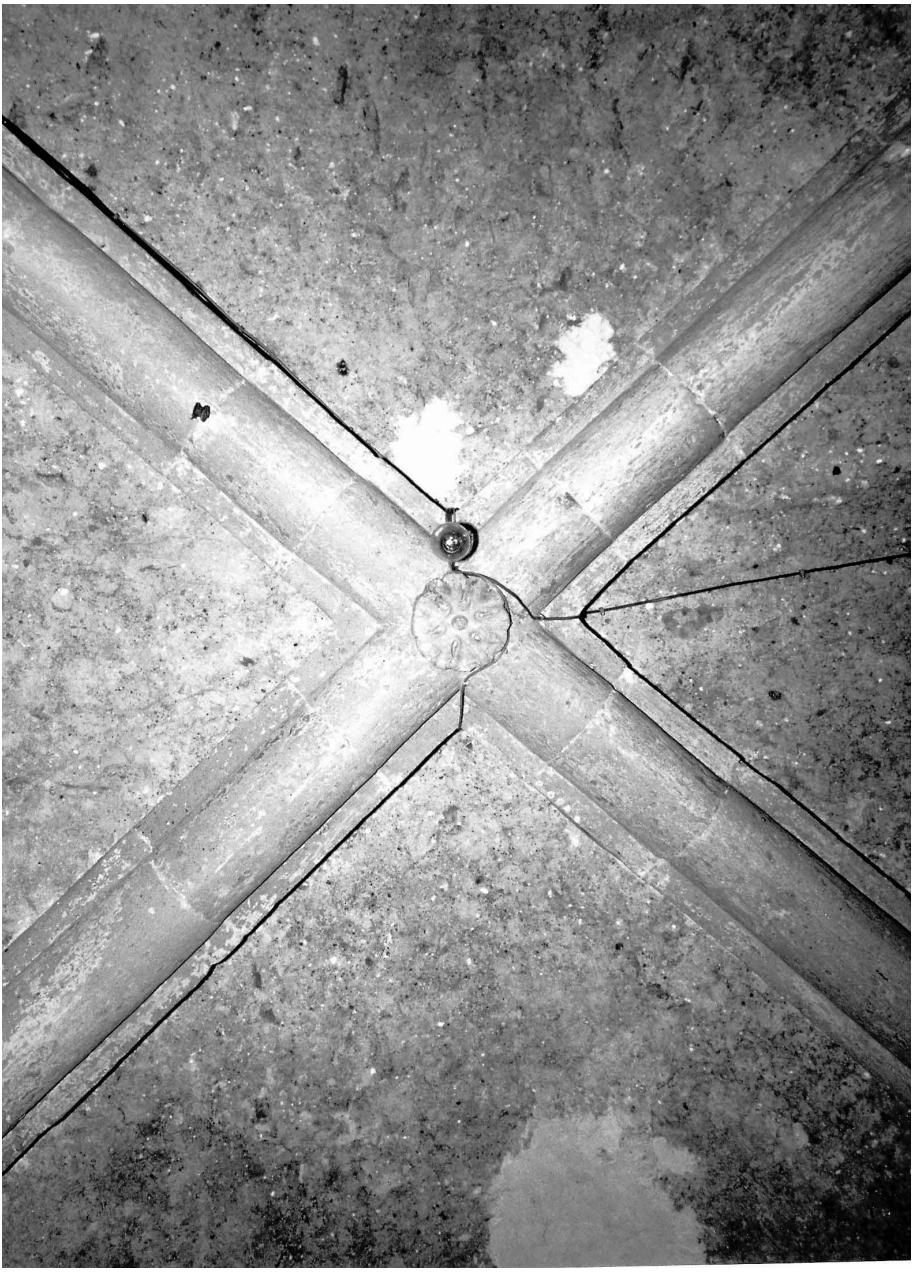

Fig. 20: S. Maria in Aracoeli, ninth chapel on the left side, original vault, Rome. Photo courtesy of Claudia Bolgia.

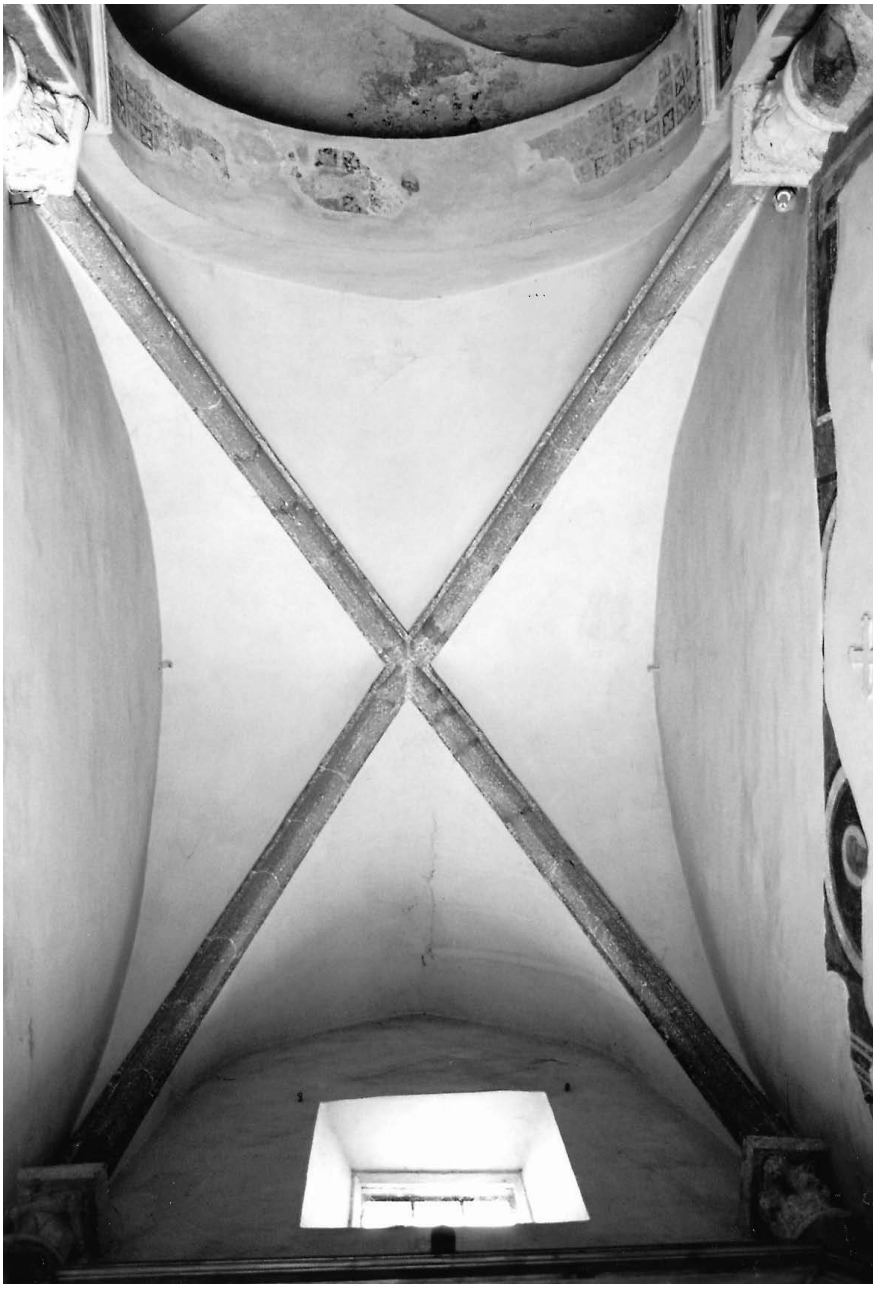

Fig. 21: S. Maria in Aracoeli, eighth chapel on the right (south) side (R8 in Fig. 15), vault, Rome. Photo courtesy of Claudia Bolgia.

Fig. 22: S. Maria in Aracoeli, seventh, eighth, and ninth chapels on the right side (R7, R8, and R9 in Fig. 15), Rome. Photo courtesy of Claudia Bolgia.

The central chamber is a bell tower converted into a chapel (one can clearly discern two stories of the *campanile* and the outline of the pointed window which was opened when the structure was transformed into a chapel).[24] It has been suggested by modern scholars that this *campanile* was built by the Franciscans up to a certain level and turned into an oratory either after 1261, when the Franciscan Chapter of Narbonne prohibited the construction of towerlike *campanili*, or in the 1290s because of a change in plans.[25] However, it can be proved that this was the bell tower of the previous Benedictine church, whose nave occupied the present church transept. This is revealed by the analysis of the foundations, which differ radically from the foundations of the Franciscan church, and by the building technique, with a modulus of 31–32cm, and *falsa cortina* pointing, which is found in Rome between the end of the eleventh and the beginning of the thirteenth century.[26] A hitherto unnoticed pulvin capital in the small garden beside the Aracoeli (Fig. 23) might once have belonged to one of the upper stories of the bell tower, as pulvin capitals of this kind appear in almost all the preserved Roman *campanili* of that type.[27] Of course, technical details such as the *falsa-cortina* pointing cannot be easily seen from below, and one must take a walk on the roof to analyse them. From this position it is possible to see the surviving portions of the eastern and western walls of the *campanile* and to

[24] Carlo Venanzi, 'Il campanile romanico di Santa Maria in Aracoeli', *Bollettino del Centro Nazionale di Studi di Storia dell'Architettura*, 4 (1945), 6–7; Ronald E. Malmstrom, 'S. Maria in Aracoeli at Rome' (unpublished doctoral dissertation, University of New York, 1973), pp. 9–10. The traditional ascription of this chapel to the Felici family is incorrect: see Claudia Bolgia, 'The Felici Icon Tabernacle at S. Maria in Aracoeli (1372) Reconstructed: Lay Patronage, Sculpture, and Marian Devotion in Trecento Rome', *Journal of the Warburg and Courtauld Institutes*, 68 (2005), 27–72.

[25] The first hypothesis was propounded by Marina Righetti Tosti-Croce, 'L'architettura tra il 1254 e il 1308', in *Roma nel Duecento: L'arte nella città dei papi da Innocenzo III a Bonifacio VIII*, ed. by Angiola Maria Romanini (Turin: Seat-Divisione STET, 1991), 75–143 (p. 90); the second suggestion is by Cesare D'Onofrio, *Renovatio Romae: Storia e urbanistica dal Campidoglio all'EUR* (Rome: Edizioni Mediterranee, 1973), pp. 105–06.

[26] A much more detailed technical analysis with a broader discussion can be found in Bolgia, 'The Church of S. Maria in Aracoeli', pp. 22–32. The term *falsa cortina* pointing is used here with the meaning adopted by Anglophone scholarship. It therefore indicates a horizontal line incised in the mortar beds with the tip of the bricklayer's trowel. This line is called *stilatura* by most Italian scholars: see Barclay Lloyd, 'Masonry Techniques in Mediaeval Rome', p. 227.

[27] On Roman bell towers, see Ann Priester, 'Bell Towers and Building Workshops in Medieval Rome', *Journal of the Society of Architectural Historians*, 52 (1993), 199–220, which does not include the reused *campanile* of the Aracoeli.

Fig. 23: Garden behind S. Maria in Aracoeli, pulvin capital, Rome. Photo courtesy of Claudia Bolgia.

observe that the flanking chapels' height is only apparent, an effect which results from a false front wall rising much higher than the roof of the aisle (Fig. 24).

When the Colonna acquired the rights to build a family oratory, they could not allow their mausoleum to be less towering and showy than the others, and thus they ensured that the chamber was definitely higher than the aisle (that is, its vault rose higher than the aisle roof).

One should not forget that, in the late Middle Ages, towers were symbols of power.[28] All the important families of Rome had a tower beside their palaces. The comment of the English traveller Master Gregorius, visiting Rome sometimes in the first half of the thirteenth century, is fascinating: 'I strongly recommend the wonderful panorama of the whole city. There is so great a forest of towers, and so

[28] Francesca Bosman, 'Incastellamento urbano a Roma: Il caso degli Orsini', in *Settlement and Economy in Italy 1500 BC–AD 1500: Papers of the Fifth Conference of Italian Archaeology*, ed. by Neil Christie (Oxford: Oxbow, 1995), pp. 499–507; Richard Krautheimer, *Rome: Profile of a City, 312–1308* (Princeton: Princeton University Press, 1980), p. 310.

Fig. 24: S. Maria Aracoeli, seventh, eighth, and ninth chapels on the right side, view from the roof, Rome. Photo courtesy of Claudia Bolgia.

many palatial buildings that no one has counted them.'[29] Supposedly Senator Brancaleone degli Andalò had one hundred and forty towers demolished in 1257 alone.[30] The height of the tower thus became a symbol of status and a measure of authority: the higher the tower, the more powerful the family. It seems that an analogous principle applied to private chapels. The height and location of the chapel conferred prestige and authority. And this was even truer on the Capitoline Hill, where the owners of monumental chapels at the Aracoeli, the barons of Rome, competed for the most important communal offices.

The equation height/power must have lost its impact in the Renaissance, and it is significant that in the sixteenth-century remodelling campaign of the former Colonna chapel a lower vault was constructed to make the height of the chamber uniform (at least from the interior) with that of the later side chapels.

The date and patronage of the Colonna chapel are more difficult to establish. The provenance of the mosaic with Giovanni Colonna from the ninth chapel on the left side (Fig. 16) has been unanimously accepted by scholars since Oliger first suggested it in 1911.[31] A detailed re-reading of the sources, however, does not confirm this provenance. In his article Oliger follows Pompeo Ugonio's route through the church and correctly states that Ugonio, visiting the Aracoeli some time between 1593 and 1595–96, saw the mosaic at the end of the left aisle, immediately after descending the north transept steps and after having described the so-called 'ara coeli', which still stands in the middle of the north transept. Nevertheless, Oliger goes too far in stating that Ugonio saw the mosaic in the ninth chapel of the left aisle. Ugonio's account provides a slightly, but significantly, different piece of information:

> Here descending in the other aisle, the thirteenth oratory is of the family [blank space] as it is shown by the emblems [a sketch of a shield with coats of arms follows], but *above* (*supra*) are these mosaic heraldic shields of the Colonna with small images of the B[lessed Virgin] and these verses are written near the image of Giovanni Colonna [two blank lines follow]. This chapel is not in use any longer, perhaps because it is in a complete state of abandonment, but it is entirely adorned with ancient paintings; and is used as a storeroom for the furniture and benches of the church.[32]

[29] *The Marvels of Rome: Master Gregorius*, ed. by John Osborne, Mediaeval Sources in Translation, 31 (Toronto: Pontifical Institute of Mediaeval Studies, 1987), p. 18.

[30] Brentano, *Rome before Avignon*, p. 173 (the source is Matthew Paris's *Chronica Maiora*).

[31] See n. 15, above.

[32] Vatican City, Biblioteca Apostolica Vaticana (hereafter BAV), Ms Barb. lat. 1994, fol. 404^{r} (first column): 'Hinc descendendo in aliam navem minorem XIII Sacellum familiae [blank space]

Three points must be underlined here: Ugonio leaves blank the name of the owner of the chapel, which he was unable to recognize, but provides a sketch of the family arms: a party shield, plain on the left half and divided per pale with four wavy bars on the right: this is certainly not the Colonna stemma. Ugonio then asserts that a mosaic with the insignia of the Colonna and an image of Giovanni Colonna was located above (*supra*) the chapel. Finally, he records that the chamber, although decorated by ancient paintings, was no longer in use and functioned as a storeroom. A very rough sketch of the mosaic in the same manuscript reveals that it was originally longer, including the images of St John the Baptist and St Nicholas on the other side of the Virgin, and another Colonna shield at the far right of the composition.[33]

A further description by Ugonio, in a manuscript in the Biblioteca Comunale at Ferrara, is even more eloquent: 'Then one comes to the last chapel of the left aisle counting from the facade, which is in a state of abandonment, and *above it* (*super quem*) is a mosaic and certain images of the Blessed Virgin, St Nicholas etc., among whom [are] Giovanni Colonna and Francis (?) this church (??) the Aracoeli' (my italics).[34] Then Ugonio continues his tour in the north transept and describes the tomb of Cardinal Matteo d'Acquasparta, which is still there. Ugonio asserts clearly that the mosaic under discussion was above (and not within) the chapel, that a different family owned the chapel, and their arms were still visible, although the oratory was no longer in use. The fact that the mosaic was not in the chapel solves a number of problems related to this frieze: its function and exact location, for instance, would have been very difficult to explain in a discrete chapel annexed to a church: the piece was originally very long (4.20 × 0.63m) and no comparable example of private chapel with a similar mosaic frieze on its walls

quam hec notant insignia [a sketch of a shield with coats of arms follows] *supra* autem hec ex musivo insignia Columnensium cum imaginiculis [Beatae Virginis] et his verbis iuxta Io. Columnam exaratis [two blank lines follow]. Hoc sacellum non est amplius in usu, quia forte depressum sit nimis, est tamen totum plenum undique antiquis picturis; et servit reponendis ecclesiae lignaminibus et scamnis' (my italics).

[33] BAV, Ms Barb. lat. 1994, fol. 447^{r}, where Ugonio describes the mosaics visible at the Aracoeli.

[34] Ferrara, Biblioteca Comunale, Ms 161, P. 1. 8 (Pompeo Ugonio, *Theatrum Urbis Romae*), fol. 975^{r}: 'Est cappella in navi minori laeva ingrediendo ultima depressa *super* quam est musivum et sunt quaedam imagines B[eatae] Virgi[nis], S. Nicolai etc. inter quas Io[annes] Columna et S. Franciscus (?) hanc ecclesiam (??) Aracoeli' (my italics).

exists.[35] What did Ugonio mean when he stated that the mosaic was 'above' the chapel?

It is highly likely that the mosaic was located in the space above the arched entry to the chapel. Obviously, this was not the original location of the piece, which must have been moved there after the dismantling of its original setting. It is probable that the ninth chapel of the left aisle 'attracted' the mosaic, for it was a Colonna chapel at the time the former setting of the piece was dismantled (probably this was the chapel in which Cola had not permitted the burial of his enemies). The chapel must subsequently have changed owners, and new coats of arms (the ones seen by Ugonio) identified the family of the new owners. The fact that the mosaic with Giovanni Colonna was not originally part of the chapel does not alter the interpretation of the architecture if the chapel belonged to the Colonna anyway, but renders it impossible to anchor the oratory's patronage to a 'face' and a name.

The Savelli chapel occupied the south transept (Fig. 15), a highly prestigious site, lying directly opposite the chapel of the 'ara coeli', which housed the most revered altar of the church, believed indeed to be the earliest altar in the whole world.[36] Although partially modified, the Savelli chapel survived in relatively good condition until 1727, when a drastic campaign almost completely concealed its internal medieval appearance, leaving only a portion of the frescoes of the Cavallini workshop in the attic space between the ceiling and the roof.[37] On the basis of earlier accounts one can deduce that at least two aims lay behind the painted programme, one serving the needs of the Franciscans, the other the needs of the family. In fact, along with the images of Christ, the evangelists and saints on the end wall, and scenes from the life of St Francis on the side walls (the chapel was dedicated to the order's founder), there appeared the figures of 'pontifices maximi, aliique sancti clarissimi Sabellorum gentis patroni'.[38] These must, at the very least, have included Pope Honorius IV (1285–87), the brother of the likely patron Senator Pandolfo Savelli, who had conceived the transept space as a family mausoleum to house the bodies of his parents in two ostentatious sepulchral

[35] I will discuss the question of the original provenance of the piece elsewhere.

[36] See Bolgia, 'The Church of S. Maria in Aracoeli', pp. 546–49.

[37] On the Savelli chapel, see Herklotz, 'I Savelli e le loro cappelle di famiglia', pp. 567–84. These frescoes were discovered and published by Pico Cellini, '"Di fra" Guglielmo e di Arnolfo', *Bollettino d'Arte*, ser. 4, 40 (1955), 215–29.

[38] BAV, Ms Vat. lat. 11871, fols 233^{v}–34^{r}.

monuments.[39] The deceased Luca Savelli, who had been senator in 1266, and his wife were also depicted prominently in the chapel, 'in abito usato in quel tempo', according to the eighteenth-century *Diario di Roma* by Francesco Valesio.[40]

The family shields not only ostentatiously marked the exterior of the Savelli chapel, but also featured prominently in its interior: on the tombs (Fig. 25), in the pavement ('pavimento variisque eiusdem gentibus insignibus'), and on the marble entry balustrade supporting the iron grill ('an iron gate which rests on two large pieces of marble encrusted on the outside with precious and well-preserved mosaic in the middle of which one can see the Savelli coat of arms').[41] This bold display of heraldry was to become common for private chapels in the fourteenth century: one needs only to recall the case of the sepulchral chapel of Raimondino Lupi (the Oratory of S. Giorgio) on the *sagrato* of the Basilica of S. Antonio at Padua, where both the interior and the exterior were covered by an uncountable number of family arms.[42] However, less than a century earlier, when the Savelli 'mausoleum' was built, shields had only recently started to appear in the Italian context.[43]

[39] On the Savelli tombs see Julian Gardner, 'Arnolfo di Cambio and Roman Tomb Design', *Burlington Magazine*, 115 (1973), 438; Gardner, 'The Family Chapel', p. 402.

[40] Francesco Valesio, *Diario di Roma*, ed. by Gaetana Scano, 6 vols (Milan: Longanesi, 1977–79), IV, 1002: 'e tolti i frontespizi a due sarcofaghi, avendo casse due pitture nel deposito di Luca Savelli fratello [*sic*] di papa Onorio, che rappresentavano quel personaggio e la moglie in abito usato in quel tempo.'

[41] BAV, Ms Barb. lat. 1994, fol. 407^{r} ('pavimento variisque eiusdem gentibus insignibus'), and on the marble entry balustrade supporting the iron grill ('una cancellata di ferro, la quale posava sopra due gran pezzi di marmo, incrostati al di fuori di prezioso ben conservato musaico, nel cui mezzo vedevasi l'arma dei Savelli'); Casimiro da Roma OFM, *Memorie istoriche della chiesa e del convento di S. Maria in Aracoeli di Roma* (Rome: Bernabò, 1736), p. 109.

[42] Barbara Hein, 'Sulle insegne araldiche nelle cappelle gentilizie dei Lupi e una attribuzione ad Altichiero', in *Cultura, arte e committenza nella basilica di S. Antonio di Padova nel Trecento*, Atti del Convegno Internazionale, Padova 24–26 maggio 2001, ed. by Luca Baggio and Michela Benetazzo (Padua: Centro studi antoniani, 2002), pp. 373–89: according to Hein, an 'army' of painted wolves covered the whole exterior of the oratory. On this chapel see also Louise Bourdua, 'Friars, Patrons, and Workshops at the Basilica del Santo, Padua', in *The Church and the Arts*, ed. by Diana Wood, Studies in Church History, 28 (Oxford: Blackwell, 1992), pp. 131–41.

[43] They appeared in the papal court in the second half of the thirteenth century. The use of family shields is documented by contemporary sources for Urban IV (1261–64), born Jacques Pantaléon, and Honorius IV (1285–87), the Savelli Pope: Ingo Herklotz, *'Sepulcra' e 'Monumenta' del Medioevo: Studi sull'arte sepolcrale in Italia*, 2nd edn (Rome: Rari Nantes, 1990), p. 199. At the beginning of the thirteenth century the display of family shields within churches had aroused the opposition of the Cistercians: Gardner, 'The Family Chapel', p. 552, n. 44.

LVCA
SAVI
ELLO
D·O·M·
SILVIO S·R·E CARDINALI AMPLISS. DE CLARISS. SABELLORVM
GENTE CAMILLI ARICCIE DOMINI P·M·
IVXTA GENTILIVM SVOR· SACELLVM VT IDEM PIA ELEEMOSINA EX
TESTAMENTO ATTRIBVIA ANIMAM DIVINIS SACRIFICIIS PERPETVO
D·O·M
HIC REQVIESCIT IOANNES FRANCISCI·IOANNIS DNI BONAVENTVRÆ DE
TRANSTIBERIM QVI OBIIT ANNO DOMINI
MCCC DIE XXIX IANVARII

Fig. 25: S. Maria in Aracoeli, Savelli chapel, tomb of Senator Luca Savelli (*c.* 1296), Rome. Photo courtesy of Claudia Bolgia.

Heraldry was a relatively recent European phenomenon, linked with the early crusades.[44] The move to place family coats of arms in chapels annexed to churches was neither simple nor obvious: the rulers of the church where the chapel was built had to grant a specific concession for the purpose.[45] One should remember the fourteenth-century case of the brothers Giovanni and Gherardo da Vizzi, who were refused permission to display their heraldic device in front of their chapel in Santa Trinita in Florence.[46]

At the Aracoeli until the eighteenth century, mosaic arms also appeared at the entrance of the oratory which had been built against the west side of the Colonna chapel before 1336, when Lorenza de Rubeis, daughter of Andrea de Rubeis and wife of Lello della Valle, was buried there.[47] Lorenza's sepulchral slab, showing the deceased with the shields of the de Rubeis and della Valle at her feet, was subsequently shifted outside the chapel, and today is barely identifiable in the left aisle pavement, close to the entrance of the chapel.[48] It is important to note that not only noble families of ancient origin could aim at having a discrete architectural space annexed to the Aracoeli: the de Rubeis were in fact merchants.[49] Further archival research is fundamental to ascertain whether the

[44] Herklotz, *'Sepulchra' e 'Monumenta'*, p. 199. On the early appearance in Rome of coats of arms in pavement *emblemata*, see Valentino Pace, 'Committenza aristocratica e ostentazione araldica nella Roma del Duecento', in *Roma medievale: Aggiornamenti* (see n. 4, above), pp. 175–91 (pp. 177–78).

[45] Höger, 'Studien zur Entstehung der Familienkapelle', pp. 69–78.

[46] Höger, 'Studien zur Entstehung der Familienkapelle', pp. 69–78.

[47] Casimiro da Roma, *Memorie istoriche*, p. 187: 'Apparteneva già questa cappella all'antica famiglia de' Rossi o dir vogliamo de Rubeis, di cui fino ai dì nostri si è veduta l'arma gentilizia, lavorata di musaico, in due tavole di marmo poste nel sito, ove ora è la nuova balaustrata.'

[48] Vincenzo Forcella, *Iscrizioni delle chiese e d'altri edifici di Roma dal secolo XI fino ai giorni nostri*, 14 vols (Rome: Tipografia delle Scienze Matematiche e Fisiche, 1869–84), I (1869),126, no. 449: 'HIC IACET DNA LAURENTIA FILIA ANDREE RUBEI UXO[R] OLI[M] LELLI DE VALLE CUIUS A[N]I[M]A REQUIESCAT IN PACE AMEN.' Casimiro da Roma (*Memorie istoriche*, p. 189) also records: 'Lo detto anno [1336] si legge presso il Monaldesco, morio Lorenza figlia de Messere Andrea Roscio, mogliera diletta de Lello della Valle: ci fecero li frati ad Araceli un bel mortorio.' See also *Die Mittelalterlichen Grabmäler in Rom und Latium vom 13. bis zum 15. Jahrhundert*, I: *Die Grabplatten und Tafeln*, ed. by Jörg Garms, Roswitha Juffinger, and Bryan Ward-Perkins, Österreichisches Kulturinstitut in Rom, 5 (Vienna: Österreichische Akademie der Wissenschaften, 1981), p. 143.

[49] Isa Lori Sanfilippo, *La Roma dei Romani: Arti, mestieri e professioni nella Roma del Trecento* (Rome: Istituto storico italiano per il Medio Evo, 2001), p. 137.

branch of the family buried at the Aracoeli was effectively composed of merchants, as suggested by Lori Sanfilippo. In any event, one must remember that being *mercatores* in thirteenth- and fourteenth-century Rome meant being merchant-bankers 'in Urbe potentes', perhaps even belonging to the so-called aristocracy of the 'mercanti e bovattieri'.[50] Members of the de Rubeis clan are recorded among the Conservators of Rome from 1362.[51]

Another powerful merchant was buried at the Aracoeli: Aduardo di Pietro Sassone, whose father had been Camerlengo Camere Urbis, one of the major positions within the administration of the Roman Commune.[52] An important factor seems thus to have been the active participation of the new families in ruling Rome. It is impossible to ascertain whether a Sassone chapel ever existed at the Aracoeli; the only evidence for Aduardo's burial in the church is a very humble sepulchral slab of grey marble, presently set in the nave pavement in front of the first column of the right colonnade.[53]

It is not known whether Senator Pandolfo was portrayed in the Savelli chapel, but clearly his father was depicted there, as Valesio's account attests. It is also certain that at least two other magistrates were represented at the Aracoeli. One of them is the above-mentioned Giovanni Colonna (Fig. 16). The other is a kneeling figure, wearing a blue robe and a red mantle with a vair collar and hat, depicted in a much smaller mosaic as being presented to an enthroned Virgin and Child by a stigmatized St Francis (Fig. 26); the pendant of Francis on the other side of Mary is a standing St John the Baptist. The traditional association of this mosaic with the Capocci, another important Roman baronial family, has been questioned on the basis of the assumption that the only known Capocci senator, Giacomo, was in office in 1254, far too early a date for the mosaic.[54] Giacomo,

[50] Sanfilippo, *La Roma dei Romani*, pp. 123–48.

[51] Sanfilippo, *La Roma dei Romani*, p. 144.

[52] On Aduardo, see Marco Vendittelli, 'Mercanti romani del primo Duecento "in Urbe potentes"', in *Roma nei secoli XIII e XIV* (see n. 2, above), pp. 87–135; Étienne Hubert, 'Ceti dirigenti e urbanizzazione (secoli XII–XIV)', in *Roma medievale: Aggiornamenti* (see n. 4, above), pp. 167–73 (p. 167); Antonella Mazzon, 'Una famiglia di mercanti della Roma duecentesca: I Sassoni', *Archivio della Società Romana di Storia Patria*, 123 (2000), 59–84.

[53] Antonella Mazzon's recent claim that the chapel was in fact built is uncorroborated: Mazzon, 'Una famiglia di mercanti', p. 75. The slab of Aduardo († 1298) is published in *Die Mittelalterlichen Grabmäler*, pp. 114–15.

[54] This date, proposed by Giovanni Battista de Rossi, *Musaici cristiani e saggi dei pavimenti delle chiese di Roma anteriori al secolo XV* (Rome: Spithöver, 1899), unnumbered page, has been

however, is never documented as a senator and the only title he is documented to have held in 1254 is that of Proconsul Romanorum.[55] While I agree with a later date for the mosaic, which could have never been conceived without Torriti's precedent at S. Maria Maggiore (one should only compare the St John the Baptist here with the one in the apse of the Marian church on the Esquiline), the Capocci patronage cannot be doubted. The mosaic, now set against the east wall of the chapel and presently dedicated to S. Rosa da Viterbo, was previously set against the south wall of the same chamber.[56] A Capocci chapel, dedicated to St Nicholas, is included in a list of family chapels at the Aracoeli in an anonymous Vatican manuscript datable to around 1570.[57] At the end of the same century Ugonio described the present chapel of S. Rosa as decorated with ancient paintings and housing family sepulchres, and sketched the family stemma visible in the chapel: this can be identified with the Capocci emblem.[58] Vincenzo Capocci subsequently sold the chapel to Giacomo Velli, who replaced the Capocci mosaic shields on the altar with his own arms.[59] It is therefore unsurprising that Giovanni Antonio Bruzio, around 1660–70, described the mosaic under discussion as placed in the

doubted by Guglielmo Matthiae, *Mosaici medioevali delle chiese di Roma*, 2 vols (Rome: Istituto Poligrafico dello Stato, 1967), I, 388, and Romano, 'L'Aracoeli, il Campidoglio, e le famiglie romane', p. 206.

[55] Agostino Paravicini Bagliani, s.v. 'Capocci Giacomo', in *Dizionario Biografico degli Italiani*, 67 vols (Rome: Istituto della Enciclopedia italiana, 1960–2006), XVIII (1975), 595–96; on the classicizing, yet rather obscure, title of *Proconsul Romanorum*, see Sandro Carocci, 'La celebrazione aristocratica nello Stato della Chiesa', in *Le forme della propaganda politica nel Due e nel Trecento*, Atti del Convegno Internazionale, Trieste 2–5 marzo 1993, ed. by Paolo Cammarosano, Collection de l'École française de Rome, 201 (Rome: École française de Rome, 1994), pp. 345–67 (p. 356).

[56] Bolgia, 'The Church of S. Maria in Aracoeli', p. 244.

[57] BAV, Ms Chigi I, V, 167, fol. 361^{v} (first publ. by Herklotz, 'I Savelli e le loro cappelle di famiglia', p. 572, n. 37).

[58] BAV, Ms Barb. lat. 1994, fol. 404^{r}, first column: 'Intra hoc reclusum ex laeva sui altaris, aliud XI Sacellum familiae, ut reor, de Anibaldeschis veteri pictura ornatum cum sepulcris eiusdem clarissimae familiae dedicatum in nomine [two blank lines] cuius haec inibi sculptantur insignia' (the sketch of the Capocci shield follows). Although Ugonio tentatively suggests that the chapel might have belonged to the Annibaldi, he sketches the Capocci arms. His topographical description of the chapel location is too precise to doubt that he is describing the present S. Rosa chapel.

[59] Theodor Ameyden, *La storia delle famiglie romane*, ed. by Carlo A. Bertini, 2 vols (Rome: Collegio Araldico, 1910–14), I (1910), 478.

Fig. 26: S. Maria in Aracoeli, chapel of S. Rosa da Viterbo (R11 in Fig. 15, formerly Capocci chapel?), mosaic panel, Rome. Photo courtesy of Claudia Bolgia.

Velli chapel.[60] Until Giacomo Velli's intervention the marble sepulchral epitaph of Luciana Capocci was set in the chapel.[61] This gentle young woman, the daughter of Nicola Conti, died in 1317 — we learn from the sepulchral inscription — leaving her beloved husband, Giovanni Capocci, in a state of profound sadness and grief. The reference, in the epitaph, to an 'arca' beneath which Luciana's body was interred, suggests that the marble inscription originally accompanied a sepulchral monument.

It is difficult to establish the identities of the patron of the Capocci chapel and of the magistrate represented in the extant mosaic panel (and indeed to ascertain whether they were one and the same person). Giovanni Capocci, Luciana's husband, died sometime after 1333 and before 1342 (far too late a date for the mosaic), and his sister Margherita was buried at the Aracoeli too, presumably in the same chapel.[62] Their father was Fiorenzo Capocci and their mother was very probably Aloisia Colonna (whose marriage to Fiorenzo is documented), the daughter of that powerful Giovanni Colonna di Palestrina who had served as senator of Rome in 1279–80 and 1290–91 and was in all likelihood the donor of the aforesaid Colonna mosaic.[63]

Fiorenzo, who is documented as already deceased by 1300, was the son of Angelo, who passed away before 1286 and had been Capitano del Popolo in 1267.[64] Fiorenzo is a possible candidate as the commissioner of the family chapel. It is significant that one of his daughters was buried at the Aracoeli and that the beloved wife of one of his sons was buried in the chapel; furthermore, the name of another son, Nicholas, might indicate a predilection for the eponymous saint

[60] BAV, MS Vat. lat. 11871 (Giovanni Antonio Bruzio, *Opera II*), fol. 237^{r}: 'Transeundum hic ad duas cellas interiores quarum altera a S. Francesca Romana nobili Astallorum familia constructa est. Altera beatissimae Virginis de Purificatione exprimit musivi operis (imaginem) S. Franciscum et S. Antonium [sic] inter cui a latere in genua procumbit vir senatori habitus. Patent ibi insignia nobili Velliorum familiae.' Again, the topographical indications do not leave space for any doubt.

[61] BAV, MS Vat. lat. 11871 (Giovanni Antonio Bruzio, *Opera II*), fol. 237^{r}. The inscription is edited by Forcella, *Iscrizioni delle chiese*, I, 125, no. 442.

[62] This discussion is based on the genealogical chart of the family and relative comments by Carocci, *Baroni di Roma*, pp. 333–42.

[63] Date, patronage, original function, and provenance of that frieze are discussed in a forthcoming article.

[64] In the same year Angelo is recorded as witness to a document drawn up at Aracoeli regarding the election of the major of the Romans: Paravicini Bagliani, 'Capocci Angelo', *Dizionario Biografico degli Italiani* (see n. 55, above), XVIII, 587–88 (p. 588).

(the titular saint of the chapel), and the name of another daughter, Francesca, attests his devotion to the founder of the order of the Friars Minor. A date around the late 1290s (Fiorenzo died before 1300) would be appropriate for the mosaic, which is evidently the product of Torriti's workshop and finds its best comparisons in the apse mosaic of S. Maria Maggiore. Unfortunately, it is not known whether Fiorenzo was a magistrate of the Roman Commune, which could explain the attire of the kneeling figure in the mosaic. It is also possible that the man in the mosaic was in fact Angelo (who had been Capitano del Popolo) and that his sepulchral monument had been commissioned by Fiorenzo, who might have built a family mausoleum analogous to that constructed by Pandolfo Savelli in the nearby chapel.

Hitherto unnoticed archaeological evidence indicates that the Capocci chapel was built after (probably, soon after) the construction and furnishing of the Savelli chapel, which took place undoubtedly after 1288 and probably around 1296.[65] The east and south walls of the Capocci chapel have been almost completely rebuilt, but the west wall is still *in situ*, as it coincides with the east wall of the south transept and it is, therefore, shared with the Savelli chapel. A component of the medieval furnishing of the Capocci chapel is still inset in that wall and can be seen by opening a modern cupboard: a marble trefoil niche which had the original function of a *piscina*, as the drain at its base demonstrates (Fig. 27). A groove for a shelf (probably for the cruets) is also visible. The *piscina*'s essential function was to allow the celebrant to wash his hands and clean the Mass vessels: several *piscinae* have survived in gothic chapels in Italy (one need only think of S. Lorenzo Maggiore at Naples, S. Croce in Florence, or S. Petronio at Bologna), and even more abroad, but no medieval *piscina* was known to have survived in Rome.[66] It is important to note that the Aracoeli *piscina* does not have a rear wall proper: instead its rear wall is the marble slab forming the back of Luca Savelli's monument. This means that the Savelli tomb was already there when the niche was realized, and the *piscina* must have been conceived from the outset to utilize part of the back of the Savelli monument as its rear wall.

[65] For the dating of the Savelli oratory see Herklotz, 'I Savelli e le loro cappelle di famiglia', pp. 567–84.

[66] Francis Bond, *The Chancel of English Churches* (Oxford: Oxford University Press, 1916), pp. 153–62; Robert Charles de Lasteyrie, *L'architecture religieuse en France à l'époque gothique*, 2 vols (Paris: Picard, 1926–27), II (1927), pp. 463–69; Julian Gardner, 'Cardinal Ancher and the Piscina in Saint-Urbain at Troyes', in *Architectural Studies in Memory of Richard Krautheimer*, ed. by Cecil L. Striker (Mainz am Rhein: von Zabern, 1996), pp. 79–82.

Fig. 27: S. Maria in Aracoeli, chapel of S. Rosa da Viterbo, *piscina*, Rome. Photo courtesy of Claudia Bolgia.

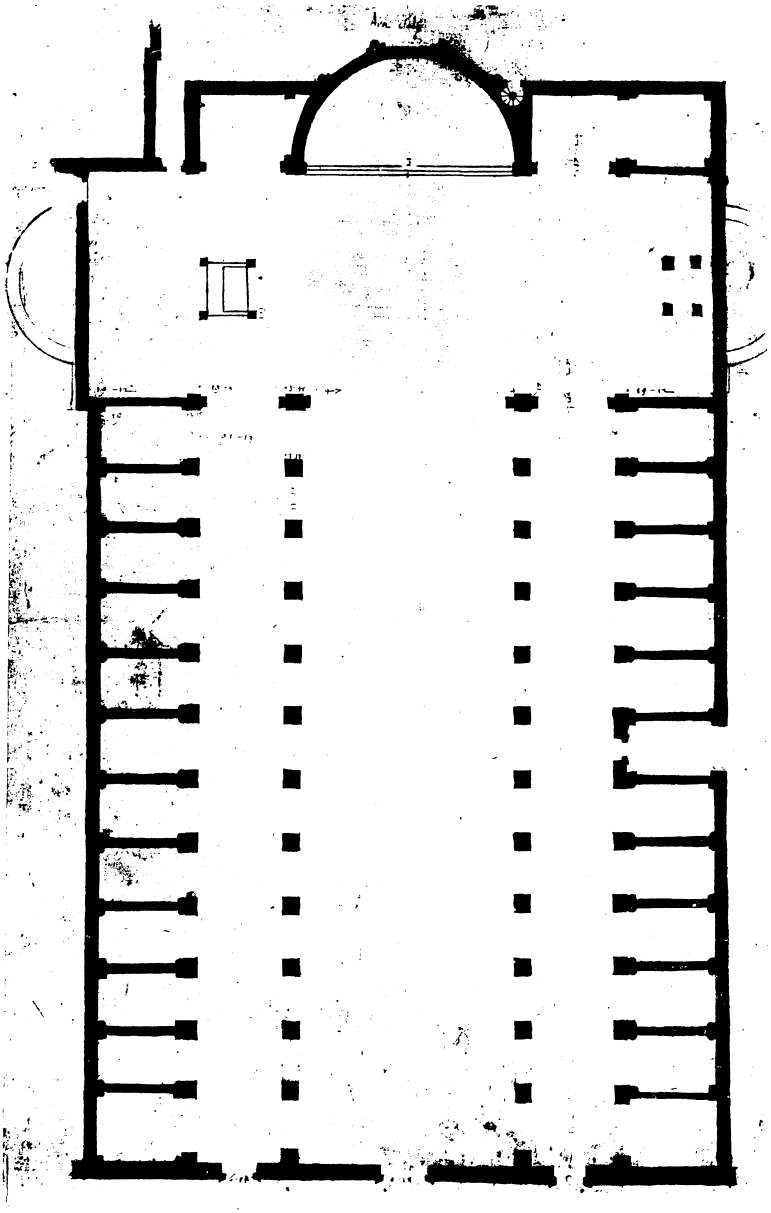

Fig. 28: Anonymous, Plan of S. Maria in Aracoeli (so-called Spada plan), Vatican City, Biblioteca Apostolica Vaticana, MS Vat. lat. 11257, fol. 185^{r}. *c.* 1490–1510. Reproduced with the permission of the Biblioteca Apostolica Vaticana.

The Capocci chapel is accessible only through the room flanking the apse (the present SS. Sacramento oratory), and so it must have been originally, since the presence of the *piscina* and of Luca Savelli's tomb did not allow access from the transept: the late-fifteenth- or early-sixteenth-century so-called Spada plan documents the situation clearly (Fig. 28). It is therefore likely that there was no other chapel between the Capocci chapel and the apse originally, and that the Capocci family had a two-bay chapel (formed by the present chapels of SS. Sacramento and S. Rosa da Viterbo), a feature documented for other Mendicant churches in the early fourteenth century.[67] Probably as a result of a very generous 'offer', the Capocci had been granted a 'double space' in the highly prestigious area to the right of the apse. This bold architectural solution could not be shorter than the above-mentioned chapels, and extant drawings attest that they were the same height (Fig. 29).

To recapitulate, at the end of the thirteenth century and in the first half of the following century the Franciscan church on the Capitoline Hill, only few metres distant from the Senatorial Palace, was the favoured place of burial for the most important Roman families, of both ancient and more recent origins. The discrete private oratories annexed to the church were more than a burial place where Mass was celebrated to ensure the deceased access to heaven: they evoked, not only in height but also in an ostentatiously reiterated display of coats of arms, the family palace towers, stating loud and clear the wealth, power, and position in society of their owners. If family towers were continuously destroyed and rebuilt in the alternating struggle between the families or in popular revolutions, the family chapels (which could display heraldic symbols because permission had been granted by the friars) were more stable — protected by the friars (and ultimately by the Virgin and God), in the same way the patrons were always protected by Francis — as powerfully attested by the surviving visual evidence coming from the Aracoeli (Figs 16 and 26).

[67] The case of S. Croce is exemplary.

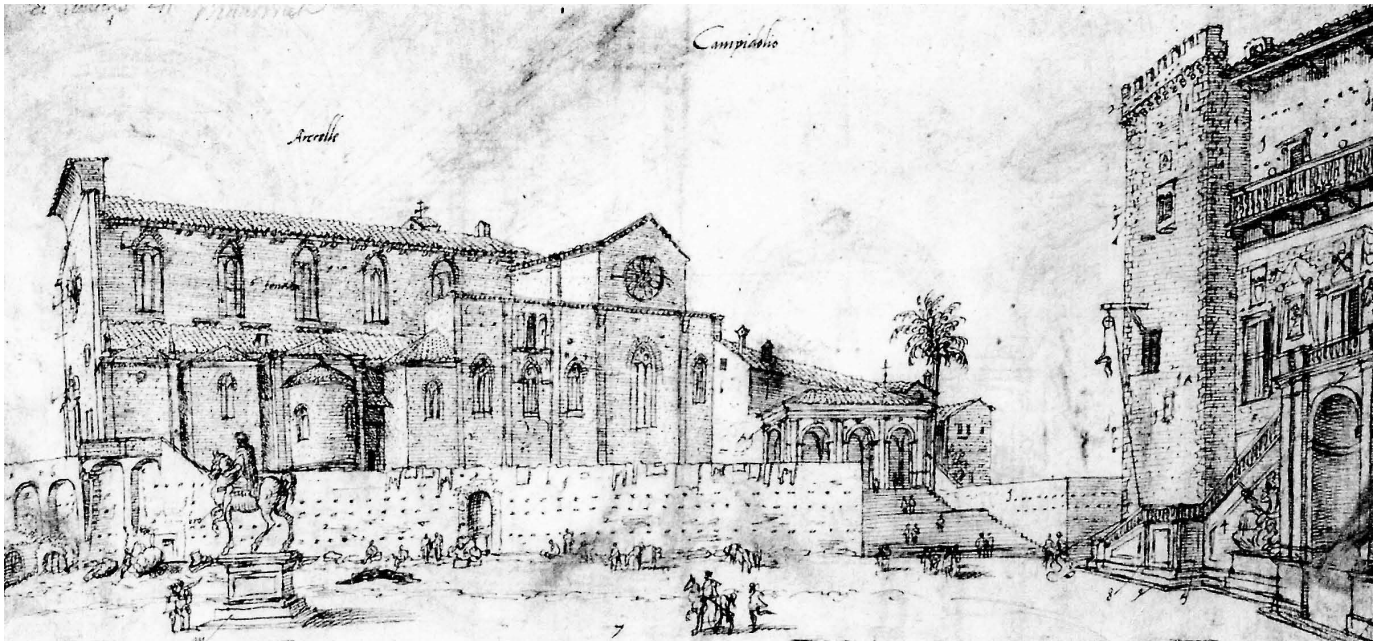

Fig. 29: Anonymous, Detail of a view from the Conservatori Palace: south side of S. Maria in Aracoeli, Braunschweig, Herzog Anton Ulrich-Museum. *c.* 1561–64. Reproduced with the permission of the Herzog Anton Ulrich-Museum.

'Treasures of the Temple' and Claims to Authority in Twelfth-century Rome

Marie Thérèse Champagne

By the twelfth century, Christians and Jews alike believed that certain of the treasures removed by the Emperor Titus from the Temple of Herod in Jerusalem following its destruction in A.D. 70 were housed in Rome as relics under the protection of the Church. The Roman appropriation of Jewish liturgical treasures from the Temple and their removal to Rome paralleled the continuing diaspora or dispersion of the Jewish people. Despite this widespread scattering of Jewish communities throughout Christendom, Jews continued to observe their traditional customs and to preserve the final memory of the Temple in Jerusalem together with its treasures. The papacy's manipulation of commonly held perceptions about the Temple Treasures and the Church's simultaneous identification with the heritage of the ancient Jews during the twelfth century in Rome, a perception that the Church encouraged and perhaps exploited as a political tool, are both themes well suited to discussions of power and authority. This era of an accelerated identification with biblical Judaism may also be seen to parallel the protection extended to the Jews by the popes in the document *Sicut Judeis*.[1]

The destruction of the Temple heralded not only the elimination of the last Jewish structure erected on the Temple Mount in Jerusalem but also signalled the definitive end of a Temple-centred ritual within Judaism. The epic events involving the Temple Treasures followed a four-year-long war against Judea,

[1] Solomon Grayzel, 'The Papal Bull *Sicut Judeis*', in *Studies and Essays in Honor of Abraham A. Neuman*, ed. by Meir Ben Horin, Bernard D. Weinryb, and Solomon Zettlin (Leiden: Brill, 1962), pp. 243–80 (pp. 244–45 and 252).

which had revolted against provincial rule. Roman legionaries commanded by Titus finally broke into the inner wall of the Temple in Jerusalem and set fire to the Holy of Holies. Josephus, a former Jewish general and eyewitness,[2] recorded how Roman soldiers removed the Temple Treasures before the structure was destroyed, set aside numerous prisoners to be used as slaves or in spectacles, and 'selected the tallest and most handsome of the youth, and reserved them for the Triumph'.[3] When Titus and his father, the Emperor Vespasian, returned to Rome, Temple Treasures and captured Jews alike were paraded together the length of the Via Sacra. As Josephus wrote, 'conspicuous above all stood out those [spoils] captured in the Temple at Jerusalem. These consisted of a golden table, many talents in weight, and a lamp stand, likewise made of gold [...]. After these, and last of all the spoils, was carried a copy of the Jewish Law.'[4] The Treasures were then placed on display in Vespasian's Temple of Peace, which fronted onto the Via Sacra on the Forum, while memorial arches and coins alike were fashioned to commemorate the victory. To this day, the Arch of Titus (*c.* A.D. 81), situated at the southern end of the Forum where the road leads up to the Palatine, preserves the memory of Jewish tragedy and Roman Triumph in its sculpted friezes depicting the paraded Temple Treasures.

Nearly five centuries after Titus's triumph, Procopius, advisor to Belisarius, Justinian's general, mentioned the fate and location of the Temple Treasures in his *History of the Wars*.[5] As he chronicled the removal of the Temple Treasures from North Africa to Constantinople, Procopius noted that the Treasures had been stolen from Rome during the Vandal sack of the city in 455, and were taken to Carthage at that time. The Byzantine army subsequently seized the Treasures in Carthage in 534 and brought them to Constantinople. Shortly thereafter, related Procopius, the Treasures were returned to Jerusalem.[6]

[2] In *The Jewish War*, written in A.D. 75, Josephus chronicled his eyewitness view of the events of the Roman destruction of Jerusalem in A.D. 70. Although he composed this work primarily for a Roman readership, his account's detail and completeness makes it an invaluable tool for historians.

[3] Josephus, *The Jewish War*, III: *Books IV–VII*, with an English translation by Henry St John Thackeray, Loeb Classical Library (Cambridge, MA: Harvard University Press, 1961), VI, 417–18.

[4] Josephus, *The Jewish War*, VII, 148–51.

[5] Procopius, *History of the Wars*, II: *Books III–IV*, with an English translation by H. B. Dewing, Loeb Classical Library (Cambridge, MA: Harvard University Press, 1961), IV, ix, 5–10.

[6] Procopius, *History of the Wars*, IV, ix, 5–10. Unfortunately Procopius does not offer any more specific information in regard to exactly where the Treasures may have been sent.

Although textual references to their whereabouts in the West cease after the sixth century, a popular belief prevailing in Rome during the twelfth century was that certain of the Temple Treasures had remained in the city, and that they were stored for safe keeping in San Giovanni in Laterano, the basilica built by Constantine. The perception that the Lateran was protecting these holy relics of the Jews existed not only among Christians, but also among Jews. The *Itinerary* of Benjamin of Tudela, a Jew from Navarre, further attests to this belief.[7] The *Itinerary* chronicled Benjamin's travels to several destinations in the Mediterranean world, including Rome. While in Rome, he visited the Lateran, possibly taken there by his local Jewish guides, and reported seeing two bronze columns which he believed had originally been located in the Temple of Solomon.[8] Benjamin also suggests that the Temple Treasures had remained in Rome, reporting that, either lying beneath or close to the Lateran, 'is the cave where Titus, the son of Vespasian, stored the Temple vessels which he brought from Jerusalem'.[9] Benjamin's account clearly demonstrates the persistent association between the Temple Treasures and Rome, and the Temple Treasures and the Lateran Basilica in the twelfth century. The perceived presence of such famous Jewish relics at the Lateran held extraordinary significance. Since the time of Constantine the Lateran basilica and palace had served as the *cathedra* of the Bishop of Rome, the centre of papal authority, and seat of papal bureaucracy, the Curia.[10]

Christian perceptions of the Temple Treasures being held in the Lateran in the twelfth century are demonstrated by both literary and material evidence during an era when the papacy embraced the heritage of the Jews as an intrinsic component of

[7] *The Itinerary of Benjamin of Tudela*, intro. by Michael A. Signer (Malibu: Joseph Simon/Pangloss, 1993). It is impossible to say whether Benjamin deliberately embellished his account or whether his brief description of Rome (pp. 63–64) can be relied upon for an accurate reflection of the Jewish communities he encountered. This writer will nevertheless use Benjamin's text as an indication of the perceptions and beliefs of the Roman Jews.

[8] Benjamin, *The Itinerary,* p. 64.

[9] Might this have been a subterranean access to some small part of the former *castra equitium singularium* or former barracks of the imperial bodyguard, on the site of which Constantine had erected his Basilica? For the excavations beneath the Lateran see *Corpus Basilicarum Christianarum Romae: The Early Christian Basilicas of Rome (IV–IX Cent.)*, ed. by Richard Krautheimer, Spencer Corbett, and Alfred K. Frazer, 5 vols (Città del Vaticano: Pontificia Istituto di Archeologia Cristiana; New York, Institute of Fine Arts, 1977), v, 24–28.

[10] Philippe Lauer, *Le Palais de Latran. Étude historique et archéologique* (Paris: 1906).

its Christian heritage, and as part of the Church's claim to possess the fullness of the Old and the New Covenants. These instances involve direct references to the Temple Treasures and include two twelfth-century texts,[11] the redesignation of the private papal chapel of S. Lorenzo as the *Sancta Sanctorum*,[12] and mosaic evidence from the late-twelfth-century Lateran portico.[13] In addition, the papal *adventus* ceremony was expanded in the twelfth century to include the display of the Torah to the Pope by representatives of the Roman Jewish community, an action pregnant with meaning in terms of the superseding by Christianity of Judaism, and in terms of the contemporary relationship between the two groups in the twelfth century.[14] These four instances clearly demonstrate the Church's welcome identification with the pre-Christian heritage of the Jews during the twelfth century.

The literary evidence includes two texts, *De sacra imagine SS Salvatoris in Palatio Lateranensi*[15] and *Descriptio Lateranensis Ecclesiae*,[16] both emanating from the canons of the Lateran during the twelfth century. Both texts mention the

[11] See nn. 15 and 16, below.

[12] Philippe Lauer, 'Les fouilles du *Sancta Sanctorum* au Latran', *Mélanges d'Archéologie et d'Histoire*, 20 (1900), 251–87; Philippe Lauer, *Trésor du Sancta Sanctorum: Extrait des monuments et mémoires de l'Academie des Inscriptions et Belles-Lettres* (Paris: École française de Rome, 1906); Julian Gardner, 'L'architettura del *Sancta Sanctorum*', in *Sancta Sanctorum*, ed. by Angiola Maria Romanini (Milan: Electa, 1995), pp. 19–37.

[13] Ingo Herklotz, 'Der mittelalterliche fassadenportikus der Lateranbasilika und seine Mosaiken', *Romisches Jahrbuch der Bibliotheca Hertziana*, 25 (1989), 25–95; Ingo Herklotz, *Gli eredi di Costantino: Il papato, il Laterano e la propaganda visiva nel XII secolo*, La Corte dei papi, 6 (Rome: Viella, 2000), pp. 166–75.

[14] *Le Liber Censuum de l'église romaine*, ed. by Paul Fabre and Louis Duchesne, 2 vols (Paris: Bibliothèque des écoles françaises d'Athènes et de Rome, 1905–10), I [82], I, 313; Noël Coulet, 'De l'intégration à l'exclusion: La place des juifs dans les cérémonies d'entrée solennelle au moyen-âge', *Annales, Economies, sociétés, civilisations*, 34 (1979), 672–81 (pp. 675–76); Susan Twyman, *Papal Ceremonial at Rome in the Twelfth Century*, Henry Bradshaw Society, Subsidia 4 (Woodbridge: Boydell, 2002), pp. 193–208 (pp. 197–200).

[15] Nicolaus Maniacutius, *Historia Imaginis Salvatoris*, BAV Fondo S. Maria Maggiore 2, fols 233–44, as noted by Gerhard Wolf in *Salus Populi Romani: Studien zur Geschichte des römischen Kultbildes im Mittelalter* (Weinheim: VCH, 1990), pp. 321–25. The manuscript had been printed earlier in *De sacra imagine SS. Salvatoris in Palatio Lateranensi, Ex Codice MS Tabularii Sacrosanctae Basilicae Liberaniae* (Roma: Camera Apostolica, 1709).

[16] Roberto Valentini and Giuseppe Zucchetti, 'Descriptio Lateranensis Ecclesiae', in *Codice topografico della città di Roma*, 4 vols (Rome: Tipografia del Senato, 1946), III, 319–73.

Temple Treasures as prominent components of the Lateran's vast relic collection. From the inception of the Lateran Basilica in the fourth century, the church had served as a repository for numerous relics of the apostles and saints, of Christ and the Virgin Mary, of articles from the Holy Land, and of the *Acheropita*, the image of Christ which was believed to have been divinely made.[17] By the twelfth century, much of this extraordinary collection was housed in the papal chapel and in the basilica itself. These two texts list and describe the relics in the Lateran collection, including the Jewish relics.

The first text, *De sacra imagine,* was composed circa 1145 by the Cistercian monk, Nicolaus Maniacutius.[18] Few details of Nicholaus's early life are known save that he had served as a deacon of S. Damasus in Rome before *c.* 1140, when he entered the Cistercian community of S. Anastasius at Tre Fontane as a novice under Abbot Bernard. Indeed, it was this Abbot Bernard, himself a close associate of Bernard of Clairvaux who, following his election in 1145 as Eugenius III, probably brought Nicolaus with him to the Lateran. Nicholaus's *De sacra imagine* focused attention on the newly named *Sancta Sanctorum*, formerly the private papal chapel of S. Lorenzo in the Lateran Palace, and contains the first known designation of that chapel as the *Sancta Sanctorum* or the Holy of Holies, a term familiar to both Christians and Jews from Old Testament narratives which described the sanctuary housing the Ark of the Covenant.[19] Nicolaus explicitly emphasized the similarities between the Roman *Sancta Sanctorum* and the ancient Holy of Holies in which the Hebrew High Priest was the only celebrant allowed to enter the space, accompanied by few attendants, a situation paralleled by the Pope's nearly solitary celebration of Mass in his private chapel.[20]

[17] Valentini and Zucchetti, 'Descriptio Lateranensis Ecclesiae', p. 357: 'Et super hoc altare est imago Salvatoris mirabiliter depicta in quadam tabula'. See also Josef Wilpert, 'L'*acheropita* ossia l'immagine del Salvatore della Capella del *Sancta Sanctorum*', *L'Arte*, 10 (1907), 159–77, 246–62, especially 162–65.

[18] André Wilmart, 'Nicolas Manjacoria: Cistercien à Trois-Fontaines', *Revue Bénédictine*, 33 (1921), 136–43 (pp. 138–39).

[19] 'Et intulerunt sacerdotes arcam foederis Domini in locum suum, in oraculum templi, in Sanctum sanctorum subter alas cherubim': *Vulgate*, III Reg. 8. 6; Gerhard Wolf, '"Laetare filia Sion. Ecce ego venio et habitabo in medio tui": Images of Christ Transferred to Rome from Jerusalem', *Jewish Art*, 23/24 (1997/98), 419–29 (p. 423).

[20] Wolf, '"Laetare filia Sion"', p. 425.

Historians perhaps know Nicolaus best as a corrector of Latin translations of the Old Testament texts, primarily the Psalter.[21] His work, however, joined a growing practice among Christian Hebraists across the Continent and England during the twelfth century, who not only communicated with Jewish scholars but who also, and to varying degrees, actually learned Hebrew.[22] At this point, questions arise as to why Nicolaus produced the *De sacra imagine*. What lay behind the impetus to focus on biblical Judaism, and what precisely was the nature of his role at the Lateran? Did he perhaps produce the text as a guide for pilgrims to Rome in the manner of other twelfth-century guides such as the *Mirabilia urbis Romae*?[23] According to Gerhard Wolf, it was Nicolaus himself who initiated the use of *Sancta Sanctorum* for the former chapel of S. Lorenzo.[24] The decision to rename the popes' private chapel, however, must surely have originated with a higher ecclesiastical authority than Nicolaus, even perhaps emanating from the papal administration itself. Nicholaus's emphasis placed on the Hebrew heritage within Christian theology may thus have been the result of a papal directive and might well have originated in the Cistercian milieu which Eugenius and he shared. On the other hand, it was possibly also related to the growing interest among Christian Hebraists not merely to learn Hebrew to facilitate their corrections of Latin Old Testament translations but also to gain

[21] Vittorio Peri, 'Notizia su Nicola Maniacutia, autore ecclesiastico romano del XII secolo', *Aevum*, 36 (1962), 534–38. For Nicholaus's poem on the popes, see Heinrich Schmidinger, 'Nicholaus Maniacutius (Maniacoria) und sein Papstgedicht', *Mitteilungen des Instituts für Österreichische Geschichtsforschung*, 71 (1963), 48–61; Heinrich Schmidinger, 'Das Papstgedicht des Nicholaus Maniacutius', *Mitteilungen des Instituts für Österreichische Geschichtsforschung*, 72 (1964), 63–73.

[22] Beryl Smalley, *The Study of the Bible in the Middle Ages* (Oxford: Basil Blackwell, 1983), pp. 77–82, 102–06, 110–11, 119–26, and 149–72; Michael A. Signer, 'Polemic and Exegesis: The Varieties of Twelfth-Century Hebraism', in *Hebraica Veritas? Christian Hebraists and the Study of Judaism in Early Modern Europe*, ed. by Allison P. Coudert and Jeffrey S. Shoulson (Philadelphia: University of Pennsylvania Press, 2004), pp. 21–42.

[23] Two of the twelfth-century travel guides to Rome were known as the *Mirabilia urbis Romae*, although they were composed by different authors, and for different audiences. See *La più antica redazione dei 'Mirabilia'*, in *Codice topografico della città di Roma* (see n. 16, above), III, 1–65; English version in *The Marvels of Rome — Mirabilia Urbis Romae*, ed. by Francis Morgan Nichols, 2nd edn (New York: Italica, 1986), and *Magistri Gregorii: De Mirabilibus Urbis Romae*, in *Codice topografico*, III, 137–167; English version in *Master Gregorius: The Marvels of Rome*, trans. by John Osborne, Medieval Sources in Translation, 31 (Toronto: Pontifical Institute of Mediaeval Studies, 1987).

[24] Wolf, '"Laetare filia Sion"', p. 423.

direct access to Jewish scholars, a living source of Hebrew scholarship, for translations and interpretations. The question remains, however, as to what or who motivated this significant alteration to the official name of the chapel which henceforth identified it as not only an architectural element from Jewish sacred architecture, but also as a symbol of the most intimate contact between the forerunners of Christianity and their God?

A second text, the *Descriptio Lateranensis Ecclesiae,* also claimed that the Church possessed the Temple Treasures.[25] The *Descriptio* was first composed *c*. 1073–1118 by an unknown canon at the Lateran primarily in order to direct pilgrims to the Lateran Basilica and to inform them of the relics held within, including the Temple Treasures.[26] A second redaction dates from the pontificate of Anastasius IV (1153–54).[27] The text was further revised and a prologue added later in the twelfth century by John the Deacon, another canon of the Lateran.[28] John was directed to revise the *Descriptio* extensively by Pope Alexander III (1159–81) and to focus even more attention on the Temple Treasures supposedly kept at the Lateran.[29] Valentini and Zucchetti proposed that the main purpose of John's revision was to bolster the Lateran's position as *mater et caput* of all churches in its ongoing dispute with St Peter's for supremacy in Rome.[30] While

[25] Valentini and Zucchetti, 'Descriptio Lateranensis Ecclesiae', pp. 319–73 (pp. 339–41).

[26] Valentini and Zucchetti, 'Descriptio Lateranensis Ecclesiae', pp. 319–20. The twelfth-century Roman *renovatio* generated a widespread interest in the remains of classical antiquity, then in evidence throughout the city, coinciding with an increased pilgrimage movement to holy sites. Several *mirabila* texts were written during that century to guide pilgrims to both sacred and profane mementos of the past. For further reading on this pilgrimage phenomenon to Rome, see Debra J. Birch, *Pilgrimage to Rome in the Middle Ages* (Woodbridge: Boydell, 1998) and Diana Webb, *Pilgrims and Pilgrimage in the Medieval West* (London: Tauris, 1999).

[27] Valentini and Zucchetti, 'Descriptio Lateranensis Ecclesiae', pp. 319–20.

[28] In the Prologue to the *Descriptio* in Valentini and Zucchetti, 'Descriptio Lateranensis Ecclesiae', pp. 326–28.

[29] '[V]el etiam quae de historiis et auctoritatibus sanctorum ad repellendum ambiguitatis opinionem quorumdam de absconsione Tabernaculi et Arcae, et his quae continebantur in ea, vel altaris incensi': Valentini and Zucchetti, 'Descriptio Lateranensis Ecclesiae', pp. 326–28.

[30] Valentini and Zucchetti, 'Descriptio Lateranensis Ecclesiae', pp. 319–22. For the dispute between the Lateran and the Vatican, see Michele Maccarrone, 'La cathedra Sancti Petri nel medioevo: Da simbolo a reliquia', *Rivista di storia della chiesa in Italia*, 36 (1985), 349–447 (repr. in Michele Maccarrone, *Romana ecclesia, cathedra Petri*, ed. by Piero Zerbi, Raffaello Volpini, and Alessandro Galuzzi, Italia Sacra, 48, 2 vols (Rome: Herder Editrice e Libreria, 1991), II, 1249–1373.

this interpretation appears reasonable in light of the vigorous and ongoing dispute between the Lateran and the Vatican in the High Middle Ages, it is probably only one of many explanations for John's revision of the *Descriptio.* Political challenges to papal power and authority might well have been the driving force behind the reissue of a text asserting papal and institutional supremacy. Throughout much of his pontificate, Alexander III struggled against the power of Emperor Frederick I Barbarossa, of various antipopes, and of the Roman Commune, and frequently fled Rome when conditions became unsafe.[31]

De sacra imagine and *Descriptio Lateranensis Ecclesiae* — these two Lateran texts produced with papal authority — placed direct emphasis on the heritage of the biblical Jews which the Christian Church claimed to possess, theologically and physically, in the form of the Temple Treasures. This textual evidence, taken together with the *Itinerary of Benjamin of Tudela*, demonstrates the pervasive belief among the Roman ecclesiastical and Jewish communities alike that the Lateran did indeed house the Temple Treasures in the twelfth century. Benjamin of Tudela's *Itinerary* illuminates the era of Alexander III's pontificate not only in terms of Jewish beliefs, but also in terms of Jewish-Christian relations on the highest ecclesiastical level. Benjamin mentions that a certain Rabbi Jechiel served as 'an official of the Pope' and 'has the entry of the Pope's palace; for he is the steward of his house and all that he has'.[32] If such was indeed the case, the presence

[31] The establishment of the Roman Commune in 1144 and re-establishment of the Roman Senate formidably challenged local papal authority in Rome, while strife between the pope and the Holy Roman Emperor throughout that century and beyond threatened papal authority both within and outside of Rome. For more information on the twelfth-century Roman political milieu, see George William Greenaway, *Arnold of Brescia* (New York: AMS, 1978), especially Chapter 7; Otto of Freising, *The Deeds of Frederick Barbarossa* (New York: Columbia University Press, 2004); Peter Munz, *Frederick Barbarossa: A Study in Medieval Politics* (Ithaca: Cornell University Press, 1969); Marcel Pacaut, *Frederick Barbarossa* (New York: Scribner, 1970); Michele Maccarrone, *Papato e impero: Dalla elezione di Federico I alla morte di Adriano IV, 1152–1159* (Romae: Facultas Theologica Pontificiae Universitatis Lateranensis, 1959); Indro Montanelli, *Papato, impero e comuni nei secoli XI e XII* (Milan: Biblioteca universale Rizzoli, 1974); and above all, Robert L. Benson, 'Political *Renovatio*: Two Models from Roman Antiquity', in *Renaissance and Renewal in the Twelfth Century*, ed. by Robert L. Benson and Giles Constable (Oxford: Clarendon Press, 1982), pp. 339–86.

[32] *The Itinerary of Benjamin of Tudela*, p. 63. Again, it is unclear how far Benjamin may have embellished the importance of the Roman Jewish community by including in his story, Jechiel, the highly connected and prominent Roman Jew, or indeed whether this is a factual account. In the absence of other corroborative evidence, Benjamin's statement must be used with caution.

of a Jewish steward in the Pope's own residence demonstrated the extraordinary nature of papal-Jewish relations the late twelfth century — a Jew holding a position of honour and power in the papal household while the Church openly acknowledged the connection with its Jewish heritage. At the same time, Jews in Europe were increasingly restricted in occupations, and the continuing call to crusade fed interethnic violence, while rumours of Jewish sacrifices of Christian children were also beginning to circulate.[33]

The Church further sought to emphasize its ancestry in Hebrew antiquity through the construction of narrative mosaics on the portico of the Lateran's western entrance, probably in the late 1180s when the Peace between the Roman Commune and the papacy was formalized, ostensibly ending the forty-five year struggle for control of the city.[34] Ingo Herklotz has recently proposed that the portico mosaics were created after the Curia returned to Rome in 1188.[35] Construction of the Lateran portico followed the tradition of entrance porches added to Roman churches during the twelfth-century *renovatio*.[36] Mosaic scenes decorated the portico architrave, referring to the founding of the Lateran by Constantine and Pope Sylvester, to legends from their *Vitae*, and to the hagiography of SS John the Baptist and John the Evangelist (who were also associated with the basilica).[37] Significantly, the frieze began with two scenes

[33] Many scholars have written extensively on the persecution of Jewish communities and individuals in the High Middle Ages because of these persistent rumours of the murder of Christian children by Jews. For further information, see John M. McCulloh, 'Jewish Ritual Murder: William of Norwich, Thomas of Monmouth, and the Early Dissemination of the Myth', *Speculum*, 72 (1997), 698–740; Robert Chazan, *Medieval Stereotypes and Modern Anti-Semitism* (Berkeley: University of California Press, 1997); Jeremy Cohen, *Living Letters of the Law: Ideas of the Jew in Medieval Christianity* (Berkeley: University of California Press, 1999); R. I. Moore, *The Formation of a Persecuting Society: Power and Deviance in Western Europe, 950–1250* (New York: Basil Blackwell, 1987), and Mark R. Cohen, *Under Crescent and Cross: The Jews in the Middle Ages* (Princeton: Princeton University Press, 1994); Kenneth R. Stow, *Alienated Minority: The Jews of Medieval Latin Europe* (Cambridge, MA: Harvard University Press, 1992); and see now Kenneth R. Stow, *Jewish Dogs: An Image and its Interpreters; Continuity in the Catholic-Jewish Encounter* (Stanford: Stanford University Press, 2006).

[34] Claussen, *Gli eredi di Constantino*, p. 161.

[35] Herklotz, *Gli eredi,* p. 161.

[36] Ernst Kitzinger, 'The Arts as Aspects of a Renaissance', *Renaissance and Renewal* (see n. 31, above), pp. 637–70 (p. 638).

[37] Herklotz, *Gli eredi*, pp. 167–69.

referring to the destruction of Jerusalem by the Romans in A.D. 70.[38] The first two scenes depicted the Roman fleet sailing to Jerusalem, and the city of Jerusalem under siege.[39] By commissioning these mosaics for such a prominent location facing the Lateran Field and being continuously on view to a large number of citizens and clergy, the Church was proclaiming its historic connection with the destruction of Jerusalem.[40] Here was a statement and reaffirmation of its possession of biblical Judaic heritage, at the same time reinforcing the public perception that the relics of the Temple were held in the Lateran. The porch served as the site of particular liturgies, including the showing of a new pope to the Roman people and perhaps also some portion of the papal *adventus* ceremony.

Susan Twyman has recently recalled the use of the imperial *adventus* ceremony by the popes as a means of asserting papal rule, whether by a newly elected pope or by an exiled pope returning to Rome. Although the extant evidence suggests that papal *adventus* had been celebrated in Rome since at least the eighth century, twelfth-century *adventus* gained a new meaning, when political events in the city resulted in chaos and instability. In that century, papal *adventus* appears in the historical record when the Roman people welcomed the pope to Rome as a component of the *imitatio imperii*, and essentially as 'a vehicle for political propaganda'.[41] The papacy's deliberate adoption of imperial ceremony included the routing of ceremonial papal *adventus* processions among the ancient triumphal monuments on the Forum, on part of the way from St Peter's to the Lateran. The processing of the papal entourage beside the relief sculptures of the Temple Treasures on the Arch of Titus also implied that Christianity was claiming to have superseded Judaism, and that papal power extended beyond even the might of the former Roman Empire and its frontiers. Many questions remain about the specific use of the Lateran portico during the *adventus* ceremony, and whether the procession served to call attention to the mosaic narratives on the portico as a further emphasis of papal authority.[42]

[38] G. Ciampini, *De sacris aedificiis a Constantino Magno constructis: Synopsis historica* (Rome: Komarek, 1693), p. 11.

[39] Ingo Herklotz, 'Der mittelalterliche fassadenportikus der Lateranbasilika und seine Mosaiken', *Romisches Jahrbuch der Bibliotheca Hertziana*, 25 (1989), 25–95. Ciampini, *De sacris aedificiis*, p. 11.

[40] Herklotz, *Gli eredi,* pp. 172–75.

[41] Twyman, *Papal Ceremonial at Rome*, p. 15.

[42] Cf. Herklotz, *Gli eredi*, pp. 200–01.

Twelfth-century *adventus* continued to include the Jews of Rome along with many other groups of citizens; however, their participation took a new form in the exhibition of the Torah to the Pope as he processed through the city. The record of Jewish ceremonial involvement in papal *adventus* processions does not include the display of the Torah to the pope until *c.* 1145 for Pope Eugenius III,[43] and again *c.* 1165, for Alexander III.[44] The Jews' exhibition of their holy texts solemnized their loyalty to the pope, while for Christians, it focused attention on the Church's claim to possess the fullness of the Covenant, as originally established between Abraham and Yahweh, Moses and Yahweh, and later between Jesus and his followers. This claim occurred at much the same time as the twelfth-century papal document *Sicut Judeis* extended papal protection to Jews, while the Church continued to exert control over them.[45]

Since the inception of Christianity, the relationship between the Jews and the Christian Church had evolved from a familial association within Judaism to a point of theological opposition by opposing doctrinal camps. By the time of the First Crusade in 1096, that opposition became manifest in forced baptisms, restrictions on the daily lives of Jews, and massacres of several Jewish communities. In the early twelfth century, this urgent need of the Jews for protection and Jewish pleas for security finally resulted in papal action, the issuing of the papal letter, *Sicut Judeis*, by Pope Calixtus II (1119–24).[46] Christians were

[43] 'Iudei quoque non deerant tante letitie, portantes in humeris suis legem Mosaycam': *Le Liber Pontificalis*, ed. by L. Duchesne, Bibliothèque des Écoles françaises d'Athènes et de Rome, 3 vols (Paris: Éditions E. de Boccard, 1955), II, 386–87 (p. 387).

[44] '[I]bi advenerant Iudei, ex more legem suam deferentes in brachiis': *Le Liber Pontificalis*, II, 413.

[45] The Third Lateran Council, presided over by Alexander III in 1179, directly addressed the interaction of Christians with Jews and Muslims, for instance, forbidding Christians to work as servants or nursemaids for Jewish and Muslim employers. Many restrictions laid down by Lateran III had been stated in earlier decrees; however, their reiteration in 1179 indicates a perception that certain interactions might involve danger for Christians; see *Decrees of the Ecumenical Councils*, ed. and trans. by Norman P. Tanner, 2 vols (Washington, DC: Georgetown University Press, 1990), I, 223.30–224.12.

[46] For an excellent discussion of the surrounding problems, see Grayzel, 'The Papal Bull *Sicut Judeis*', pp. 250–55, in which he points out that no actual copy of Calixtus's Bull has survived. He considers as 'more cogent', i.e., possible, that the Bull was asked for and given to the Jews of Rome. More recent discussions of the development of *Sicut Judeis* may be found in Kenneth R. Stow, 'The Church and the Jews', in *The New Cambridge Medieval History*, ed. by David Abulafia (Cambridge: Cambridge University Press, 1999), pp. 204–19; Kenneth R. Stow, *The Jews in*

commanded neither to harm nor to kill Jews, nor to confiscate their property, nor to treat them in any manner different from local custom. Jewish cemeteries were also to remain undisturbed. At least five papal successors to Calixtus II reissued *Sicut Judeis* during the twelfth century, including Eugenius III and Alexander III.[47]

The two Lateran texts, the renaming of the *Sancta Sanctorum*, and the mosaics on the Lateran portico, all indicate a quickening identification of the Church with biblical Judaism, at a time when the Jews were officially protected by the papacy. Recall Rabbi Jechiel, who served in a position of authority in the household of Alexander III in the 1160s: a mere fifty years later, as a result of the Fourth Lateran Council of 1215, Jews were officially and definitively barred from holding public office by conciliar decree.[48]

While a multitude of questions remain, the evidence reveals a deliberate public identification of the Church with its Jewish heritage during the twelfth century. Whether this attitude toward the legacy of the ancient Hebrews influenced any papal protection of the Jews through *Sicut Judeis*, the evidence clearly indicates that the papacy endorsed a programme which focused on the Christian supersession of Judaism as a distinct statement of power and authority. Considering the forces within the Church which actively opposed the power of the popes, and external opposition to them from the Roman Commune, Roman nobility and Germano-Roman emperor, it is reasonable to conclude that papal actions were conducted, not merely to follow ceremonial and papal precedent, but to produce unmistakable statements about the sacred nature and power of the *Vicarii Petri* in the twelfth century.

Rome (Leiden: Brill, 1995), pp. xxi–xxii; and Kenneth R. Stow, *The '1007 Anonymous' and Papal Sovereignty: Jewish Perceptions of the Papacy and Papal Policy in the High Middle Ages* (Cincinnati: Hebrew Union College, 1984), pp. 12–20.

[47] Shlomo Simonsohn, in *The Apostolic See and the Jews, Documents: 492–1404* (Toronto: Pontifical Institute of Mediaeval Studies, 1988), lists the presently known twelfth-century decrees of *Sicut Judeis* by Popes Eugenius III (1145–53), Alexander III (1159–81), Clement III (1187–91), Celestine III (1191–98), and Innocent III (1198–1216).

[48] Tanner, *Decrees*, I, 265–67.

Part II. Informal Influence

Authority and Maternity in Late-Medieval Castile: Four Queens Regnant

Bethany Aram

Although recognized as lawful sovereigns, Castilian queens regnant encountered difficulties wielding political power. Their husbands and sons, bolstered by contemporary prejudices, could prevent female sovereigns from exercising their legitimate authority. Marriage and motherhood, which usually enhanced the status of queens consort, entailed practical problems for queens regnant. Whereas other kingdoms invoked 'Salic Law' to prevent female inheritance, royal daughters in Castile could pass the right of succession to their offspring and even, in the absence of direct male heirs, accede to the throne in their own right. This ability to inherit as well as to transmit the Crown, somewhat paradoxically, made motherhood a risky business for each of four queens regnant of Castile from 1109 until 1504: Urraca, Berenguela, Isabel, and Juana. Their parents expected none of these princesses to rule. Against the odds, two of them, Urraca and Isabel, managed to do so.

The daughter of King Alfonso VI of León-Castile and Constance of Burgundy, Urraca established the fundamental precedent for female inheritance and rule from 1109 to 1126. Although recognized as heiress to her father's realms in Toledo in 1109, Urraca, a widow of twenty-seven with two children, initially accepted her father's choice of a second husband, Alfonso, King of Aragon, to

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defend her realms upon his death. According to Bernard Reilly's authoritative study, it was precisely Urraca's lack of a child with the Aragonese king that enabled her to repudiate the marriage and establish her own, independent rule.[1] Urraca sustained and even extended her territory through continuous warfare and shifting alliances with her son, former husband, half-sister, and their partisans. As her son grew older, affairs with leading magnates may have helped Urraca to avoid abdicating on his behalf. According to supporters of Urraca's legitimate heir, the Queen died in 'adulterous childbirth'. Such a double condemnation of Urraca, on account of her motherhood as well as her lovers, suggest that she used both to her advantage.[2]

After Urraca, moralists and chroniclers found redemption for the idea of regnant queenship in the conduct of the thirteenth-century heiress, Berenguela. As in the case of Urraca, the papacy had cited consanguinity to annul Berenguela's marriage to a neighbouring king. Unlike Urraca and Alfonso of Aragon, however, Berenguela and Alfonso IX of León had four children, two of them male. A late-thirteenth-century manuscript preserved in the British Library, the 'Historia de San Fernando y maioria de su madre', claimed that Berenguela personally wet-nursed her son to enhance his royal condition, implicitly strengthening his legitimacy in spite of the annulment of his parents' marriage. Fernando III, according to this source, later repaid his mother's solicitous care with 'respectful obedience', accepting the brides she chose for him and postponing, to some extent, his conquest of southern kingdoms.[3] The nursing anecdote, while probably apocryphal, emphasized Berenguela's exemplary generosity on behalf of her son.

Queen consort of León during her marriage and regent of Castile upon the death of her parents in 1214, Berenguela astutely recognized the limits of her power. When a leading noble, Count Álvaro de Lara, challenged her regency, doña Berenguela retired with her sister to a castle in Burgos. Upon the death of her younger brother, however, Berenguela stealthily summoned her son, Fernando. In the marketplace of Valladolid, she accepted recognition as the 'natural ruler' (*señora natural*) of the realm, which she thereby conferred upon her seventeen-year-old offspring. According to the Queen's collaborator, Rodrigo

[1] Bernard F. Reilly, *The Kingdom of León-Castilla under Queen Urraca, 1109–1126* (Princeton; Princeton University Press, 1982), pp. 60, 356.

[2] Emma Falque, 'Chronicum Compostellanum', *Habis*, 14 (1983), 82.

[3] British Library, Egerton MS 442, fol. 58^{r}, 'Historia de San Fernando y maioria de su madre, 1272'.

Jiménez de Rada, Archbishop of Toledo, in spite of her unquestionable right to rule, Berenguela, 'taking refuge behind the walls of shame and modesty, above all the women in the world, did not wish to rule the kingdom'.[4] Rather, the Queen provided steadfast support for her son and manoeuvred to secure his succession in the realm of León upon the death of his father. Berenguela's chroniclers stressed chastity and piety as the corollaries of her maternal dedication. Proclaiming, 'powerful God in all things guided the acts of the very noble queen', they established a providential tone that the next queen by hereditary right would seek to apply to her own reign.[5]

Urraca and Berenguela comprised the main examples of queens in their own right available to Isabel of Castile upon the death of her younger brother, Alonso, in 1468. Her strategy to acquire the Crown of Castile drew upon both models, combining Urraca's desire for personal power with Berenguela's pious chastity.[6] In order to defend substantially weaker rights to the throne, Isabel, like Urraca, established an alliance with an Aragonese warrior and direct male heir to the throne she coveted. Whereas reigning kings had publicly recognized the rights of Urraca and Berenguela to succeed them, Enrique IV, ruler of Castile until 1474, upheld the succession of his own daughter, Juana, especially after Isabel, his half-sister, married Fernando of Aragon. The fighting that ensued was marked by a major victory for Enrique's partisans in October 1470, after they received the news that Isabel had given birth to a daughter, rather than the son that her supporters desired.[7] The civil war would last nearly ten years, until Isabel and Fernando could produce a male heir.

Incomplete and belated success as a mother nevertheless enabled Isabel to consolidate her own independent claim to the throne. Upon the death of Enrique IV, she paraded through the streets of Segovia with the sword of justice raised before her. The gesture, which proclaimed Isabel as proprietary ruler, offended Fernando and his partisans, who found it inappropriate for a woman to stage such

[4] Rodrigo Jiménez de Rada, *Historia de los hechos de España o Historia Gótica* (Madrid: Alianza, 1989), pp. 336–37.

[5] *Primera Crónica General de España que mandó componer Alfonso el Sabio y se continuaba bajo Sancho IV en 1289*, ed. by Ramón Menéndez Pidal, 2 vols (Madrid: Gredos, 1955), II, 715–16.

[6] On the importance of Isabel's chastity, see Elizabeth A. Lehfeldt, 'Ruling Sexuality: The Political Legitimacy of Isabel of Castile', *Renaissance Quarterly,* 53 (2000), 31–56.

[7] Diego de Valera, 'Memorial de diversas hazañas', in *Crónicas de los Reyes de Castilla*, ed. by Cayetano Rosell, 3 vols (Madrid: Rivadeneyra, 1878), III, 58–59.

a masculine display.[8] The hour had come to negotiate Fernando and Isabel's respective powers in Castile and León. According to her chronicler, Hernando de Pulgar, Isabel successfully upheld the rights of their daughter and, consequently, her own.[9]

Under such circumstances, the birth of a long-awaited male heir in Seville on 30 June 1478 entailed a potential problem for the Queen. First of all, there was the indignity of labour. Isabel had exercised authority as a 'manly woman'[10] and sought recognition for her 'heart of a man, dressed as a woman'.[11] The act of giving birth directly undermined this long-cultivated public image. Isabel had no choice but to emulate Berenguela's modesty in order to dissociate her physical person from her royal dignity. As one chronicler would assert, Queen Isabel 'was so chaste and modest, that she suffered even the pains of childbirth without cries, covering her face'.[12] Her confinement during the baptism of her son, Juan, on 15 July, must have been equally, if not more, trying for the Queen. Finally, on Sunday, 9 August, Isabel recovered the ceremonial initiative by presenting her son, Juan, at the Cathedral of Seville and attending Mass there. The procession from the Alcázar (palace-fortress) to the cathedral, announced and led by varied musicians, featured the Queen, mounted on a white charger covered in gold and silver, wearing a brocade gown covered with pearls and mother-of-pearl. Accompanied by a single lady, the Duchess of Villa-Hermosa, Isabel permitted each of four leading nobles

[8] Alonso de Palencia, *Crónica de Enrique IV*, Biblioteca de autores españoles, 257, 258, 267, 3 vols (Madrid: Ediciones Atlas, 1975), III, 155.

[9] Hernando del Pulgar, 'Crónica de los Señores Reyes Católicos Don Fernando y Doña Isabel de Castilla y de Aragón', in *Crónicas de los Reyes de Castilla* (see n. 7, above), pp. 255–57.

[10] Bibliothèque Nationale (Paris), Manuscrit Espagnol 143, fols. 44^{r}–48^{v}. *Epistolario de Pedro Mártir de Anglería*, ed. and trans. by José López de Toro, 4 vols (Madrid: Imprenta Góngora, 1953), IX, Ep. 253.

[11] Juan de Lucena, *Opúsculos literarios de los siglos XIV a XVI, Sociedad de Bibliófilos españoles*, cited in Félix de Llanos y Torriglia, *Una consejera de Estado: Doña Beatriz Galindo 'La Latina'* (Madrid: Editorial Reus, 1920), pp. 28–30. As Carole Levin has shown, the 'Virgin Queen' resolved a conflict between femininity and rule by claiming that her individual female body could contain a kingly body politic; see Carole Levin, *'The Heart and Stomach of a King': Elizabeth I and the Politics of Sex and Power* (Philadelphia: University of Pennsylvania Press, 1994), pp. 121–23.

[12] Esteban Garibay y Zamalloa, *Los quarenta libros del compendio historial de las Chronicas y Universal Historia de todos los reynos de España* (Barcelona: Sebastián de Cormellas, 1628), II, 18, f. 582.

to place a hand on either side of her bridle or stirrups. Other grandees and courtiers on foot surrounded the nurse, mounted on a mule, with the boy in her arms, swathed in coloured brocade.[13] Royal attire rather than physical proximity identified mother and son. The Queen's offerings to the cathedral on behalf of her son doubled those given for his baptism and further emphasized that the fisc remained under her command.[14]

Queen Isabel's ceremonial use of the Presentation in the Temple, a white horse, and mother-of-pearl, entailed an attempt to identify herself with the Virgin Mary. A less ambiguous model than either Urraca or Berenguela, but likewise 'daughter of kings',[15] the Marian model enabled Isabel to downplay Fernando's role in her kingdom. If the ceremony of baptism excluded the mother, then that of the presentation could at least marginalize the father. Queen Isabel's patronage of Flemish art likewise tended to relegate her husband to a tangential role, as in Juan de Flandes's *Adoración de los Reyes*, which included Fernando among defenders of the Virgin and Child.[16]

Queen Isabel's daughter and eventual heiress, Juana, also found a Marian image at her disposal in the Low Countries. Before Juana gave birth to the future emperor Charles V in February 1500, her husband summoned two friars from the Abbey of Anchin to Ghent with their monastery's most famous relic — a ring that the Virgin Mary allegedly had worn while giving birth to Christ.[17] The Archduke of Austria and Duke of Burgundy, Philip, must have been pleased with the results, for he requested the ring again the following year before Juana gave birth to a

[13] F. Henrique Flórez, *Memorias de las Reynas Catholicas*, 2 vols (Madrid: Antonio Marín, 1770), II, 26–27.

[14] Andrés Bernáldez, *Memorias del reinado de los Reyes Católicos*, ed. by Manuel Gómez-Moreno and Juan de M. Carriazo (Madrid: Blass, S.A., 1962), pp. 73–75.

[15] Biblioteca Nacional (henceforth BN), Madrid, MS. R 9717, Martín de Córdoba, *Jardín de las nobles doncellas*, bk I, chap. 3.

[16] E. Haverkamp Bergmann, 'Juan de Flandes y los Reyes Católicos', *Archivo Español de Arte,* 25 (1952), 246.

[17] Philip sent his messenger to the Abbey of Anchin 'a extreme diligence nuyt et jour sans espargner chevaulx ne guides' to deliver letters requiring 'une anneau servant a l'alegement des femmes qui traveillent d'enfant' to be sent with similar haste' see Archives du Département du Nord à Lille (hereafter ADN Lille) B 2169, fol. 58^{v}, payment to George de Dole, 7 February 1500. See Bethany Aram, *Juana the Mad: Sovereignty & Dynasty in Renaissance Europe* (Baltimore: Johns Hopkins University Press, 2005), p. 53.

daughter, christened Isabel.[18] Marian imagery notwithstanding, control of the purse enabled Philip and his councillors to prevent the Archduchess from using her son to enhance her own authority. When Juana rose from bed after the birth of Charles, Philip presented her with an emerald encrusted in a white rose worth four hundred livres.[19] The household accounts, however, recorded no presentation in the Cathedral of Ghent to compete with the exquisite baptism that Philip had staged for his heir.[20]

The baptism of Juana's second son, Fernando, in March 1503 fulfilled a very different political agenda. Directed by Queen Isabel of Castile, the event capitalized on the absence of Juana's husband. Notwithstanding her confinement, Juana's confessor, Diego Ramírez de Villaescusa,[21] placed the Princess on centre stage. The Bishop praised her Christian faith and the graces that God had consequently conceded to her. Recounting Juana's twenty-three years, the Bishop discussed her childhood, her departure for Flanders in 'the greatest armada ever seen', and the many children (five, later six) that God had granted her without pain or tribulation. Thanks to her great piety, Ramírez de Villaescusa claimed, Juana gave birth while laughing and playing, like the Virgin.[22] From the standpoint of Isabel, only Philip's exclusion could save Castile from Burgundian rule. Unwilling to accept such exclusion, Philip also invoked the Marian theme. In honour of Fernando's birth, he sent Juana a jewel with seven large pearls, recalling the Virgin's seven sorrows as well as her seven joys.[23]

[18] ADN Lille B 2169, fol. 136^{v}, payment for two friars of the Abbey of Anchin, February 1500. ADN Lille B 2173, fol. 178^{v}, payment to a monk from the Abbey of Anchin, July 1501. Archives Générales du Royaume à Bruxelles (hereafter AGRB), Fonds Gachard 615, payment to a monk from the Abbey of Anchin, 20 July 1501.

[19] ADN Lille B 2169, payment to Jehan Cole, March 1500. AGRB Gachard 615, 'Acquits de la recette generale des finances, 1500–1504', 25 March 1500.

[20] Rolf Strom-Olsen, 'Dynastic Ritual and Politics in Early Modern Burgundy: The Baptism of Charles V', *Past & Present*, 175 (2002), 34–64.

[21] One of the few Spaniards who had remained with Juana since 1496, Ramírez de Villaescusa, received a pension from Philip's councillors. ADN Lille B 2.168, no. 71.946, Quittance by Jaques de Ramirez, 24 June 1499.

[22] Fray Prudencio de Sandoval, *Historia de la Vida y Hechos del Emperador Carlos V*, 3 vols (1604; Madrid: Biblioteca de Autores Españoles, 1955–56), I, cpt. 13, p. 20. For an excellent analysis of this sermon, delivered upon Isabel's 'last state occasion', see Peggy Liss, *Isabel the Queen: Life and Times* (Oxford: Oxford University Press, 1992), p. 338.

[23] ADN Lille B 2182, no. 73007, Philip's declaration discharging the jewel, 16 June 1503.

A dangerous clash between the interests of Isabel and Philip ensued. The Queen would subsequently deny her intention to 'separate' Juana from Philip.[24] Yet the fact that previous hereditary queens of Castile, Urraca and Berenguela, abandoned their husbands in order to defend their own rights and those of their offspring may have guided Isabel's strategy for avoiding foreign rule. In this case, however, Juana refused to accept the marital estrangement urged by political circumstances. At twenty-five years of age, to Isabel's dismay, Juana set a new precedent which would be followed by her younger sister, Catherine of Aragon, when she refused to disavow her marriage to Henry VIII of England. Although queen regnant of Castile, Isabel had prepared her younger daughters to cling to their titles as consorts rather than to seek sovereignty.

Although childbirth temporarily augmented Juana's authority, pregnancy just as periodically undermined it. Months after returning to Flanders, Juana attempted to dismiss her first chamberlain. Yet Philip countermanded her orders, allegedly on account of another pregnancy, and attributed the queen's anger to her condition. Ordering the chamberlain to remain in his post, Philip excused Juana's conduct, declaring, 'as you know, when pregnant, she tends to become annoyed without cause.'[25] Having overruled Juana, Philip later sent the same chamberlain as his own ambassador to Castile.[26] Imminent childbirth also gave Philip and Isabel a pretext for limiting Juana's mobility, and hence her authority, in crucial circumstances. Thus Philip could retain Juana in Flanders in 1500–01 and 1504–05, just as Isabel kept her in Castile in 1503–04.

On Isabel's death on 23 November 1504, Juana, as queen regnant, and Philip, as king consort, officially inherited her kingdoms and, from this point onward, the models of Urraca and Berenguela largely explained and legitimized Juana's

[24] Lorenzo de Padilla, 'Crónica de Felipe I', in *Colección de Documentos Inéditos para la Historia de España*, ed. by Miguel Salvá and Pedro Sainz de Baranda, 113 vols (Madrid: Imprenta de la viuda de Calero, 1842–95), VIII (1846), 115.

[25] Archivo General de Simancas (hereafter AGS), Cámara de Castilla, Cédulas 11, fol. 20^{v}, Philip to Moxica, 30 July 1505. Gutierre Gómez de Fuensalida, *Correspondencia* (Madrid: El Duque de Berwick y de Alba, 1907), pp. 251, 256, 265, 295. AGS, Cámara de Castilla, Cédulas 11, fol. 20^{v}, Philip to Moxica, 30 July 1505.

[26] ADN Lille B 2185, fol. 141^{r}, Payment to Martín de Monchicque, 14 July 1504. ADN Lille B 2191, fol. 264^{v}, Payment to 'Messire Martin de Monchique chevalier maistre d'ostel de la Royne', 19 July–15 December 1504. In spite of Juana's lack of satisfaction with Moxica, Fernando and Isabel's three ambassadors in Burgundy endorsed him as the most appropriate messenger for such a delicate matter; see Gómez de Fuensalida, *Correspondencia*, p. 265.

actions. When Philip attempted to confine his wife, just as Urraca's husband had sought to imprison her, Juana appeared before the nobles and urban representatives, demanding recognition as her mother's daughter and successor. She then attempted to reconvene the representative assembly of Castile and León in Toledo, historic capital of the Visigothic monarchy and Juana's birthplace, where both she and Urraca had been recognized as heiresses in their own right.[27] Yet Philip managed to steer the court to Valladolid. The events that ensued only made sense in terms of Berenguela's actions in the marketplace of the same city in 1217. After receiving sovereignty over the realm, Berenguela publicly bestowed it upon her son, Fernando. Juana's circumstances differed from those of Berenguela in the presence of her husband and the absence of her son, who, moreover, was still a young child. Records of the proceedings in Valladolid in July 1506 indicate yet another double negotiation. First of all, Juana received homage as the legitimate ruler and Philip as king consort.[28] Then, the same assembly recognized Juana's firstborn son and heir, Charles, as her lawful successor, naming Philip 'king and proprietary ruler of the said kingdoms'.[29] Rather than contradicting its own affirmations, the Parliament had imposed, and Juana had accepted, a settlement which resembled Berenguela's as closely as the circumstances would permit.

The real beneficiary of the 1506 arrangement, the future Charles V, would fall short of emulating the 'respectful obedience' that Fernando III had allegedly shown his own mother. Violation of this filial obligation comprised one of the principal motives for the *Comunero* uprising against Habsburg rule from 1520 to 1521. In the course of this rebellion, its leaders overcame the palace where Juana and her younger daughter, Catalina, resided. Two of their interviews with the Queen were recorded and publicized. According to the testimony of these exchanges, the Queen complained of treatment unbefitting a king's daughter, much less, the 'second or third queen regnant' of Castile.[30] According to such

[27] Constantin von Höfler, 'Die Depeschen des Venetianischen Botschafters Vincenzo Quirino', *Archiv für Osterreichische Geschichte*, 66 (1885), 240–42.

[28] AGS Patronato Real (hereafter PR), 69–41 (2); 'Juramento o reconocimiento por reyes legítimos a doña Juana y a su marido' (12 July 1506).

[29] ADN Lille B 857, no. 17971, Archivo Municipal de Córdoba C-17, doc. 20, and Archivo de la Villa de Madrid 2-393-28bis, Testimony from the Cortes of Valladolid, 12 July 1506.

[30] AGS PR, 4–75: 'Lo que pasaron con la Reyna, nuestra señora, los de la Junta quando le fueron a besar la mano' (24 September 1520). Printed as 'Testimonio de lo que la Junta trató con la Reyna en Tordesillas, y ella ordenó y mandó', in Prudencio de Sandoval, *Historia de la vida y*

testimony, Juana appeared unsure of the rights of one of her three female predecessors and entirely disregarded those of another. Although Isabel of Castile had the most dubious claim to the throne, her own daughter gained nothing by recognizing that fact. Urraca had been seen as, and remains to this day, a negative model of unrestrained female sexuality.[31] Hence Juana probably referred to Isabel and Berenguela, queen regnant of Castile but not León. Less ambiguously, Juana would disappoint the *Comuneros* by emulating Berenguela's tenacious defence of her own son.[32]

Marriage and motherhood, which comprised bases of authority for queen regents and queen consorts, became more problematic for queens regnant. Husbands and sons inevitably threatened the authority that royal heiresses could exercise in their own right. They might even invoke the authority of a regnant queen without her knowledge or consent, as in the case of Queen Juana. While women could, legally, inherent the kingdom of Castile, the dangers of such a situation led royal families to work to avoid such an outcome. When their strategies and calculations failed to prevent a female succession, male relatives who might provide support just as often became centres of opposition. Urraca largely improvised responses to the conflicts between maternity and authority as she encountered them. Berenguela retained a degree of influence by steering clear of Urraca's path. The possibilities for female sovereignty open to Isabel and Juana, in turn, depended upon the precedents that Urraca and Berenguela had established as much as their own circumstances. The reproductive failures of Urraca and Isabel paradoxically enhanced their own power. For Berenguela and Juana, on the other hand, procreative success entailed a loss of sovereignty.

hechos de Carlos V, VI, xxx, fols 283^{r}–86^{r}. A similar version of the meeting exists in the British Library, Egerton MS 2059, fols 60^{r}–64^{v}.

[31] Viceta Márquez de la Plata and Luis Valero de Bernabé, *Reinas Medievales Españolas* (Madrid: Alderabán, 2000), p. 117.

[32] Aram, *Juana the Mad,* Chapter 5.

The Queen Consort in Late-Medieval Portugal

Ana Maria S. A. Rodrigues

The political history that has prevailed until a few decades ago was based on the assumption that politics only involved men. Women were not supposed to have exercised any kind of official power and one of the merits of women's history in its prime was to bring to the public a great number of female rulers who had triumphed in a male-dominated world.[1] More recently, however, the broadening of the notion of power has encouraged the study not only of the reigning queens, whose authority was inherited,[2] but also of the queens regent and queens consort, whose power and/or authority derived from their position as the mother or the wife of the king and therefore changed according to their life cycle[3] and had a limited and subordinate character.[4]

Though a great deal of work has already been done on the queens of other Iberian kingdoms,[5] little is known about Portuguese queenship. The following

[1] Merry E. Wiesner-Hanks, *Gender in History* (Oxford: Blackwell, 2001), p. 146.

[2] Armin Wolf, 'Reigning Queens in Medieval Europe: When, Where, and Why', in *Medieval Queenship*, ed. by John Carmi Parsons (New York: St Martin's, 1993), p. 169.

[3] Pauline Stafford, 'Emma: The Powers of the Queen', in *Queens and Queenship in Medieval Europe*, ed. by Anne Duggan (Woodbridge: Boydell, 1997), pp. 7–8.

[4] John Carmi Parsons, 'Ritual and Symbol in the English Medieval Queenship to 1500', in *Women and Sovereignty*, ed. by Louise Olga Fradenburg (Edinburgh: Edinburgh University Press, 1992), pp. 60–77.

[5] Among many others, Roger Collins, 'Queens-Dowager and Queens-Regent in Tenth-Century León and Navarre', in *Medieval Queenship* (see n. 2, above), pp. 79–92; William Clay Stalls, 'Queenship and the Royal Patrimony in Twelfth-century Iberia: The Example of Petronilla of Aragon', in *Queens, Regents and Potentates*, ed. by Theresa M. Vann (Dallas: Academia, 1993,

pages will, therefore, analyse briefly the reasons that led to the failure of the few female reigns and regencies that took place in the Middle Ages and focus more extensively on the position and functions of the king's wife in order to evaluate whether she held an office or had a more imprecise status whose boundaries could be drawn at her will.

In Portugal, the only two ruling queens were Maria I (1777–1816) and Maria II (1834–53). During the Middle Ages, no woman reigned, at least not admittedly, and not for long. Teresa (1112–28), who called herself *regina* because she was an emperor's daughter — in fact, an illegitimate offspring of Alfonso VI of León-Castile[6] — was in charge of the *portucalensem terram* or *territorium*, a mere county before her son Afonso Henriques (1128–85) took it from her and turned it into the kingdom of Portugal. After her husband's death and to preserve the county's autonomy in the context of the kingdom of León-Castile, the 'Queen' had sought an alliance in Galicia marrying (or becoming the concubine of) Count Fernão Peres of the powerful family of Trava.[7] However, the nobility of the *portucalensem* territory did not accept the ascendancy of Galician interests in the county and stood by the young prince in his victorious fight against his mother.[8]

As to Beatriz (1383–85), acclaimed queen after her father's death in 1383, she was deposed two years later, at the end of a revolutionary process headed by João I (1385–1433), master of the military order of Aviz and a bastard brother of the deceased king, who managed to defeat her partisans and the armies of her Castilian husband, Juan I.[9] The Cortes (Parliament) which decided to elect João

pp. 49–61; Theresa M. Vann, 'The Theory and Practice of Medieval Castilian Queenship', in ibid., pp. 125–47; Núria Silleras Fernández, 'Queenship en la corona de Aragón en la baja Edad Media: Studio y propuesta terminological', *La Corónica,* 32 (2003), 119–33, and 'Widowhood and Deception: Ambiguities of Queenship in Late Medieval Crown of Aragon', in *Shell Games: Studies in Scams, Frauds, and Deceits (1300–1650)*, ed. by Mark Crane, Richard Raiswell, and Margaret Reeves (Toronto: Centre for Reformation and Renaissance Studies, 2004), pp. 185–207.

[6] José Mattoso, 'Dois séculos de vicissitudes políticas', in *História de Portugal*, ed. by. José Mattoso, 3 vols (Mem Martins: Círculo de Leitores, 1993), I, 49.

[7] On these and other events of the period see Bernard F. Reilly, *The Kingdom of León-Castilla Under Queen Urraca, 1109–1126* (Princeton: Princeton University Press, 1982).

[8] José Mattoso, 'A primeira tarde portuguesa', in José Mattoso, *Portugal Medieval: Novas Interpretações* (Lisbon: Imprensa Nacional-Casa da Moeda, 1985), pp. 11–35.

[9] The literature on the 'revolution' of 1383–85 is vast. Peter E. Russell's *The English Intervention in Spain and Portugal in the Time of Edward III and Richard II* (Oxford: Oxford

king in Coimbra in 1385 alleged among other things that Beatriz was no more legitimate than he was, as her mother Leonor Teles had already been married (and this marriage had never been annulled) before becoming the wife of Fernando I (1367–83)[10] — the Queen Mother being therefore guilty either of adultery or of bigamy. But even had the war had a different outcome, she would not have reigned anyway: the peace treaty agreed between her father and Juan I of Castile that regulated her marriage stipulated that, should Fernando I of Portugal die with no other heir, the dowager queen Leonor would exercise the regency until a male heir of Beatriz and Juan I should reach the age of fourteen.[11]

Thus, even though there was no rule in Portugal preventing women from inheriting and transmitting royal authority — as was the case in France since the fourteenth century with the so-called Salic Law[12] — on the only two occasions in the Middle Ages when the question arose, female heirs were violently removed from the throne by male relatives (a son, an uncle) supported by significant parts of the nobility and the commons. As has already been stressed by Sarah Lambert, 'the demands of dynastic rule contradict[ed] the requirements of gender role',[13] and female rulers were not expected to govern alone but to have a husband who would help them to exercise and maintain rule and to produce children that would secure the succession. However, the actions of that husband, whether a foreigner or a subject of the realm, could disturb the balance of power among the nobility or represent a menace of foreign intervention and its correlative loss of

University Press, 1955) is mainly concerned with the diplomatic and military events. Other authors have favoured the social and economic context: Joel Serrão, *O Carácter Social da Revolução de 1383*, 2nd edn (Lisbon: Livros Horizonte, 1976); Maria José Ferro Tavares, 'A revolta dos mesteirais de 1383', *Actas das III Jornadas Arqueológicas* (Lisbon: Associação dos Arqueólogos Portugueses, 1978), pp. 359–83, and 'A nobreza no reinado de D. Fernando e a sua actuação em 1383–1385', *Revista de História Económica e Social*, 12 (1983), 45–89. For a short survey, see *Nova história de Portugal*, ed. by Joel Serrão and A. H. de Oliveira Marques (Lisbon: Presença, 1987–), IV: *Portugal na crise dos séculos XIV e XV* (1987), pp. 509–41.

[10] Marcelo Caetano, 'As Cortes de 1385', *Revista Portuguesa de História*, 5 (1951), 18.

[11] This was one of the many clauses of the treaty of Salvaterra. Visconde de Santarém, *Quadro Elementar das Relações Políticas e Diplomáticas de Portugal com as diversas potências do mundo*, 2 vols (Paris: Aillaud, 1842), I, 248–60.

[12] Philippe Contamine, 'Le royaume de France ne peut tomber en fille: Fondement, formulation et implications d'une théorie politique à la fin du moyen âge', *Perspectives médiévales*, 13 (1987), 67–81.

[13] Sarah Lambert, 'Queen or Consort: Rulership and Politics in the Latin East, 1118–1228', in *Queens and Queenship* (see n. 3, above), p. 153.

independence for the kingdom, giving rise to court plots or national insurrections that would eventually remove the reigning queens from the throne.[14]

Female regencies posed much the same problems and were no more successful. We have already mentioned the case of Leonor Teles: she assumed the regency for her daughter Beatriz at the death of her husband, Fernando I, but she had to face almost immediately popular rebellions in different locations in the kingdom and a court plot that resulted in the assassination of her supposed lover João Fernandes Andeiro. Eventually, she asked for the help of her son-in-law, Juan I of Castile, and in the ensuing war her supporters and the Castilian army were defeated. As a result, neither she nor Beatriz ever returned to Portugal.

Leonor of Aragon was the other medieval queen regent. Her husband, King Duarte (1433–38), had entrusted her with the education of their children and the regency of the kingdom in his testament. However, a few months after the King's death and the beginning of her government, the possibility of another war with Castile because of her family connexions (she was the sister of King Alfonso V of Aragon and of the 'Infantes de Aragón' who headed a political faction against the King Juan II of Castile, with whom the Portuguese wanted to be at peace) gave rise to a general opposition to the queen's rule. In the Cortes that gathered in Torres Novas that year, she was forced to share power with her brother-in-law Pedro. But as the coregency did not work (the two regents disagreed on most matters) and did not please either the nobility or the commons (the former because they feared Pedro's support of a strong royal power, the latter because they wanted him to rule alone), new Cortes were assembled that, in a climate of insurrection, gave Pedro full power in December 1439. The Queen tried to resist with a few Portuguese supporters, waiting for help from her brothers that never came. Finally, she fled to Castile and was accused of treason and deprived of her dignity and estates.[15]

In sum, there was no legal impediment preventing women from reigning or ruling as sole regents in Portugal in the Middle Ages. They could be endowed with royal authority to that end either through dynastic succession or transmission by their husbands' will. Nevertheless, if they failed to gather the right counsellors and

[14] Part of the success of Queen Elizabeth's reign may be ascribed to the fact that she neither married nor had children. She also transcended her gender by claiming that under her female body lay a king's political body, as shown by Carole Levin, *'The Heart and Stomach of a King': Elizabeth I and the Politics of Sex and Power* (Philadelphia: University of Pennsylvania Press, 1994).

[15] Humberto Baquero Moreno, *A Batalha de Alfarrobeira* (Coimbra: Universidade de Coimbra, 1979), pp. 3–173.

associates around them or took any decision that threatened the nobility of the realm or exposed the kingdom to the peril of invasion, their position would soon be fragile and their gender (their feminine feebleness, their inclination for lust, their submission to the interests of their lovers or their kin, etc.) would be used as a weapon to undermine their authority and expel them from the throne.

Thus, it was hard and risky to be a regent or a queen regnant. Was it any easier and safer to be the king's wife? Or, in other words, did queens consort have a sheltered role of mere subordinate assistants to their husbands or did they possess any authority or power of their own that made them the potential rivals of the higher nobility and a possible menace to the king?

In sacred monarchies such as those existing in England and France queenship was a secular office supported by royal ideology for which the kings' spouses were ordained during liturgical ceremonies in connection with their marriages or their elevation to the throne.[16] This conferred on the queens a personal dignity and an institutional autonomy that allowed them to escape the changes of fortune in their intimate relationship with their husbands.[17]

In Portugal, it is generally accepted that the kings were neither crowned nor anointed[18] — though there is still some discussion of the question among specialists.[19] In any case, even if there is a faint possibility that some of their

[16] Marion F. Facinger, 'A Study of Medieval Queenship: Capetian France 987–1237', *Studies in Medieval and Renaissance History*, 5 (1968), 3–47; Janet L. Nelson, 'Early Medieval Rites of Queen-Making and the Shaping of Medieval Queenship', in *Queens and Queenship* (see n. 3, above), pp. 301–15; Elizabeth McCartney, 'Ceremonies and Privileges of Office: Queenship in Late Medieval France', in *Power of the Weak: Studies on Medieval Women*, ed. by Jennifer Carpenter and Sally-Beth McLean (Urbana: University of Illinois Press, 1995), pp. 178–219.

[17] The case of Ingeborg of Denmark, who was repudiated and imprisoned by her husband Philip II Augustus of France but appealed to Rome and was eventually restored to her status, clearly shows that a queen with a strong personality could rest on her royal dignity, acquired by marriage and liturgical consecration, to force the pope to help her and the king to take her back; see George Conklin, 'Ingeborg of Denmark, Queen of France, 1193–1223', in *Queens and Queenship* (see n. 3, above), pp. 38–52.

[18] This was the opinion of the authors who first wrote about this subject: António Brásio, 'O problema da sagração dos monarcas portugueses', *Anais da Academia Portuguesa de História*, ser. 2, 12 (1962), 21–49, and Paulo Merêa, 'Sobre a aclamação dos nossos reis', *Revista Portuguesa de História*, 10 (1962), 62–67.

[19] More recently, José Mattoso has conjectured that the successors of the first king of Portugal, Afonso Henriques, and perhaps he himself as well, were crowned and consecrated in Coimbra by the metropolitan. 'A realeza de Afonso Henriques', in José Mattoso, *Fragmentos de Uma Composição Medieval*, 2nd edn (Lisbon: Estampa, 1990), pp. 213–32, and 'A coroação dos

husbands might have submitted to such ceremony, there is absolutely no evidence that any queen was ever crowned or consecrated. The only two rituals that were reportedly performed during the inauguration of a new sovereign — the elevation and the acclamation[20] — are neatly linked to the activity that secured the throne to our first five kings: war against the enemies of the Christian Faith.[21] There was no place in them for the royal spouses.

This does not mean that the queens did not share their husband's dignity and had no official role in the kingdom. Until the reign of King Dinis (1279–1325) they participated in the royal curia and subscribed the royal charters along with the prelates, the secular dignitaries, and the royal vassals whose approbation was necessary to the validity of the decisions.[22] This may mean that they had an office similar to that of these potentates. In later times they were no longer members of the king's council and their names disappeared from the documents of the royal chancery, except when these concerned them directly or were issued by them. But they still performed the same functions that characterized queenship in other European kingdoms.[23]

First of all, they were used to secure peace and to promote useful alliances. In fact, all but two of the medieval queens of Portugal were either Portuguese (in

primeiros reis de Portugal', in José Mattoso, *Obras Completas*, I: *Naquele Tempo: Ensaios de História Medieval* (Mem Martins: Círculo de Leitores, 2000), pp. 501–17. His arguments convinced neither Peter Linehan, 'Utrum reges Portugaliae coronabantur annon', in *The Processes of Politics and the Rule of Law: Studies on the Iberian Kingdoms and Papal Rome in the Middle Ages* (Aldershot: Ashgate, 2002), VI, 389–410, and 'Addenda', pp. 1–4, nor Nuno J. Espinosa Gomes da Silva, 'Sobre a unção régia', in *História do Direito Português: Fontes de Direito*, 3rd edn (Lisbon: Fundação Calouste Gulbenkian, 2000), pp. 467–86.

[20] Gomes, *The Making of a Court Society: Kings and Nobles in Late Medieval Portugal* (Cambridge: Cambridge University Press, 2003), pp. 373–75.

[21] Mattoso, 'A realeza de Afonso Henriques', pp. 228–29.

[22] Ana Rodrigues Oliveira, *As Representações da Mulher na Cronística Medieval Portuguesa (sécs. XII a XIV)* (Cascais: Patrimonia, 2000), Table 15, pp. 124–25, and Armando Luis Carvalho Homem, 'A Corte e o Governo Central', in *Portugal em Definição de Fronteiras: Do Condado Portucalense à Crise do Século XIV*, ed. by Maria Helena C. Coelho and A. L. Carvalho Homem (Lisbon: Presença, 1996), pp. 532–33.

[23] As defined by Raphaela Averkorn, who has made a survey using examples from Germany, England, France and the Iberian kingdoms of Castile and Aragon ('Women and Power in the Middle Ages: Political Aspects of Medieval Queenship', in *Political Systems and Definitions of Gender Roles*, ed. by Ann Katherine Isaacs (Pisa: Edizioni Plus-Università di Pisa, 2001), pp. 11–30).

which case they were usually close relatives of their husbands and were chosen for internal purposes, such as conciliating the higher nobility and/or recovering estates and rents that previous kings had donated to their sons or brothers) or came from another kingdom in the Iberian Peninsula with which Portugal needed to conclude a peace treaty (usually, Castile) or make an alliance against a third menacing country (usually, Aragon).[24]

The only two exceptions to this rule are those of Mahaut of Savoy and Philippa of Lancaster. The decision of King Afonso Henriques to choose a bride in the distant County of Savoy[25] has been interpreted as sign of independence in the Iberian context and of his desire to maintain connections with the region from which his father came.[26] As to Philippa, she was chosen because her father, John of Gaunt, was a claimant to the Castilian throne and she secured a crucial alliance at a time when King João I of Portugal was fighting against Juan I of Castile and his Portuguese wife, Queen Beatriz.[27] Even though John of Gaunt eventually renounced to his claims, the English helped the Portuguese to defeat the Castilians and to preserve their independence.[28]

Queens could also be transmitters of dynastic claims: King Afonso V (1438–81) took as his second wife his niece Juana because she was a claimant to the Castilian throne, which he wanted to secure.[29] However, the marriage was never confirmed because they were unable to get a papal dispensation for their consanguinity and in the war that followed, the Portuguese king was defeated and

[24] See the simplified genealogy of the Portuguese royal family.

[25] Mahaut was the daughter of Amédée III of Maurienne and Savoy, who was himself the nephew of Count Raymond of Burgundy, brother-in-law of Afonso Henriques' father.

[26] Mattoso, 'Dois séculos de vicissitudes políticas', p. 86.

[27] On this alliance, the oldest ever concluded by Portugal with another kingdom, see Edgar Prestage, *The Anglo-Portuguese Alliance* (London: Butler and Tanner, 1934).

[28] Concerning John of Gaunt's involvement in Iberian affairs, apart from the works by Peter Russell and Edgar Prestage, see Anthony Goodman, *John of Gaunt: The Exercise of Princely Power in Fourteenth-Century Europe* (Harlow: Longman, 1992), pp. 111–43.

[29] She was the daughter of Enrique IV of Castile and Joana of Portugal, but as the King was considered impotent a rumour grew in court that her father was in fact the King's favourite Beltrán de la Cueva, and she was known as *Beltraneja*. Enrique eventually divorced Joana and disinherited his daughter, proclaiming his half-brother Alfonso and his half-sister Isabel (the future Catholic queen) as his heirs, but he never declared Juana illegitimate, thus allowing future claims from her side.

Juana forced to enter a convent[30]. She was never to be called *queen*, but was known as the 'Excellent Lady'.[31]

This episode should alert us to the fact that queens could cease to be useful and even come to be considered harmful to the Crown's interests and be removed from the court or forced to leave the country, due to changes in the political and diplomatic scene. It could happen to foreign queens when they were suspected of intervening in the internal affairs of the countries they came from or in related ones in ways that did not suit Portuguese interests: as we have seen, this was the case of Leonor of Aragon. But it could also happen to Portuguese queens when their families were no longer in the king's favour.

Isabel of Coimbra, the first wife of the Afonso V of Portugal mentioned above, was the daughter of Afonso's uncle Pedro, Duke of Coimbra and regent during the King's minority (1438–48). The marriage was obviously arranged by Pedro in order to enhance his family's influence and riches but met the disapproval of other members of the royal family who had hoped to marry the infant king to their own daughters. When, a few years later, these noblemen managed to turn Afonso against his uncle, forcing him to give up the regency and exposing him to various slights until he rebelled and died in a battle against the King, the Queen was put in a very difficult situation.[32] The opposition to her was so strong in the King's entourage that, even though he confirmed the donations of lands and jurisdictions Pedro had made to her in his name when they had married, he anticipated in the same document what should be done in case they were divorced or separated in the future.[33] But the unfortunate queen only survived her father for six years and during that time she seems to have enjoyed the affection and protection of her husband, thus being spared any mistreatment or disgrace.

[30] On these events, see Luis Suárez Fernández, 'Las bases del reinado' and 'La guerra de succesión', in *Historia de España*, ed. by Ramón Menéndez Pidal, vol. XVII, 4th edn (Madrid: Espasa Calpe, 1989), t. I, 5–383, and João José Alves Dias, Isabel M. R. Mendes Drumond Braga, and Paulo Drumond Braga, 'A Conjuntura', in *Portugal do Renascimento à Crise Dinástica*, ed. by João José Alves Dias (Lisbon: Presença, 1998), pp. 689–700.

[31] Paulo Drumond Braga, 'A "Excelente Senhora" D. Joana, em Portugal (1479–1530): Dados para um estudo', *Revista de Ciências Históricas*, 4 (1989), 247–54.

[32] Again, the essential work on these events is Moreno, *A Batalha de Alfarrobeira*, pp. 321–428.

[33] *Monumenta Henricina*, 14 vols (Coimbra: Comissão Executiva das Comemorações do V Centenário da Morte do Infante D. Henrique, 1960–73), X (1969), nº 255, p. 348.

One of the most important functions of the queens was to bring forth legitimate children, thus ensuring the transmission of the royal blood and the perpetuation of the dynasty.[34] They thus spent a considerable part of their lives pregnant: Philippa of Lancaster, who was already twenty-seven when she married João I, had eight children and a miscarriage in the following fifteen years[35] and Leonor of Aragon had nine children during her ten years of matrimonial life.[36] They sometimes died young, giving birth to the much-wanted male heir to the throne, as it is supposed to have been the case of Constança Manuel.[37]

When they survived their numerous pregnancies, they had a role in educating their children and helping to negotiate their marriages.[38] This often led them to educate other children as well: for twelve years Beatriz of Castile had in her care Blanca of Castile, the bride of her son Pedro (later repudiated, though the union seems to have been consummated) while Leonor Teles, as a result of one of the many peace treaties of her times, received as hostage the son of Juan I of Castile, aged two.[39]

Protecting their offspring and securing their firstborn access to the throne also involved trying to prevent the king's mistresses and illegitimate children from gaining too much influence over the sovereign. Even though we know nothing of the social origins of many of the king's *barregãs* (concubines), a considerable number of them were members of the high nobility and lived in the royal court or had access to it; the children born of their relationship with the king were also brought up in the court, presumably in the queen's quarters where the women lived.[40] For instance, the anonymous *Life* of Isabel of Aragon, the 'Saint Queen',

[34] Lois L. Huneycutt, 'Public Lives, Private Ties: Royal Mothers in England and Scotland, 1070–1204', in *Medieval Mothering*, ed. by John Carmi Parsons and Bonnie Wheeler (New York: Garland, 1996), p. 301

[35] A. H. de Oliveira Marques, 'Lencastre, D. Filipa de (1360–1415)', *Dicionário de História de Portugal*, dir. Joel Serrão, 6 vols (Porto: Livraria Figueirinhas, 1975), III (1975), 479.

[36] Gomes, *The Making of a Court Society*, p. 70.

[37] Aurea Javierre, 'Constança (mulher de D. Pedro I de Portugal)', in *Dicionário de História de Portugal* (see n. 35, above), II, 157–58.

[38] The relevance of this last function is clearly established, in the Castilian context, by Miriam Shadis, 'Berenguela of Castile's Political Motherhood: the Management of Sexuality, Marriage and Succession', in *Medieval Mothering* (see n. 34, above), pp. 335–58.

[39] Gomes, *The Making of a Court Society*, p. 69.

[40] Ana Cristina Tavares da Fonseca, *Barregãs e Bastardas Régias da I Dinastia Portuguesa* (unpublished master's thesis, Universidade Nova de Lisboa, 2005), pp. 109–42.

states that she brought up her husband's numerous love-children[41] and tries to create an image of her as a peacemaker between her son and her husband during the civil war that broke out in the last years of King Dinis's reign. However, modern historians show her rather as a supporter of the Prince, as neither he nor she could accept the preference the King showed for his illegitimate sons, and especially for Afonso Sanches. During this difficult phase of her married life, the Queen was banished from court and deprived of her rents, but eventually father and son came together, the bastard was expelled, and Isabel was restored to her position and rights.[42]

As to Queen Leonor of Beja, she witnessed the death of her only son, Prince Afonso (who fell from his horse during a race), and subsequently used all her influence in order to prevent her husband, King João II (1481–95), from obtaining from the Church the legitimation of a bastard, Jorge, thus assuring the accession to the throne of her brother Manuel I (1495–1521), the nearest kin.[43] In this case, the legitimacy of the succession was secured by the Queen against the King's wishes.

Both Isabel and Leonor are also good examples of pious queens, generous to the poor, founders and protectors of monasteries and welfare institutions.[44] The memory of St Isabel has been preserved to serve as a model of virtues for women in general and queens in particular.[45] She is presented as a fervent believer, spending part of her days praying, participating in liturgical ceremonies, fasting,

[41] Maria Isabel da Cruz Montes, 'Vida e Milagres de Dona Isabel, Rainha de Portugal (Edição e Estudo)' (unpublished master's thesis, Universidade Nova de Lisboa, 1999), pp. 80–81.

[42] Nuno Pizarro Dias, 'Dinis e Isabel, uma difícil relação conjugal e política', *Revista Portuguesa de História*, 31 (1996), 129–65.

[43] Manuela Mendonça, *D. João II. Um Percurso Humano e Político nas Origens da Modernidade* (Lisbon: Estampa, 1991), pp. 454–66.

[44] On the queens' piety (and even sainthood) as a source of agency and power see Jo Ann McNamara, '*Imitatio Helenae*: Sainthood as an Attribute of Queenship', in *Saints: Studies in Hagiography*, ed. by Sandro Sticca (Binghamton: Arizona Center for Medieval and Renaissance Studies, 1996), pp. 51–80, and John Carmi Parsons, 'Piety, Power and the Reputations of Two Thirteenth-Century English Queens', in *Queens, Regents and Potentates* (see n. 5, above), pp. 107–23.

[45] Angela Muñoz Fernández, 'Santa Isabel Reina de Portugal: una infanta aragonesa paradigma de religiosidad y comportamiento femenino en el Portugal medieval', in *Jornadas Luso-Espanholas de Historia Medieval: Actas das II Jordanus Luso-Espanholas de Historia Medieaval*, 4 vols (Porto: Instituto Nacional de Investigação Científica, 1987–90), III (1989), 1127–43.

providing for those who appealed to her charity, and all this without neglecting her duties as a queen, as she also took good care of her household, protected and married her young court servants, negotiated alliances, and promoted peace between her son and her husband.[46] She is also known for having founded or helped to finance fountains, bridges, inns, hospitals, churches, and religious houses, among them the Monastery of Santa Clara of Coimbra where she was buried after spending her widowhood in seclusion in a nearby palace.[47]

Leonor, was never canonized,[48] but was in no way inferior to her predecessor concerning acts of devotion and works of mercy. Being a partisan of the *devotio moderna*, she lived a spiritual life of exigency and rigour, especially after the deaths of both her son and her husband. However, she did not shut herself up in a convent. On the contrary, from her palace of Santo Elói or travelling around the country, she participated actively in the reform of the Portuguese Franciscans and Clarissas, founded the monasteries of Jesus in Setúbal, Madre de Deus and Nossa Senhora da Anunciada in Lisbon, and protected the Canons of St John Evangelist, the Hieronymites, the hermits of Serra de Ossa and many other religious communities. The two actions for which she is best known are nevertheless the construction of the thermal hospital of Caldas da Rainha and the foundation of the confraternities of Mercy (*Misericórdias*) — two institutions that still exist to the present day — although she was responsible for the creation of several other welfare institutions, such as hospitals, refuges for abandoned children, young women, and widows, and so forth.[49]

[46] A. M. Fernández, 'Queenship en la corona', pp. 1132–36, and Maria Helena da Cruz Coelho, 'O reino de Portugal ao tempo de D. Dinis', in *Imagen de la Reina Santa: Santa Isabel Infanta de Aragón y Reina de Portugal*, 2 vols (Zaragoza: Diputación Provincial, 1999), II, 79. The framing of her devotion within the model presented by the Franciscans to secular noblewomen of the fourteenth century has been made by Maria de Lurdes Rosa, 'A santidade no Portugal medieval: narrativas e trajectos de vida', *Lusitania Sacra*, ser. 2, 13/14 (2001/02), 421–29.

[47] Ana Paula Santos, 'A Fundação do Mosteiro de Santa Clara de Coimbra: da Instituição por D. Mor Dias à Intervenção da Rainha Santa Isabel' (unpublished master's thesis, University of Coimbra, 2000).

[48] Religious chroniclers and historians often present her having recourse to the same arguments and methods which hagiographers use to present women saints.

[49] On her life and works, see Ivo Carneiro de Sousa, *A Rainha D. Leonor (1458–1525): Poder, Misericórdia, Religiosidade e Espiritualidade no Portugal do Renascimento* (Lisbon: Fundação Calouste Gulbenkian-Fundação para a Ciência e a Tecnologia, 2002).

In addition, Leonor of Beja was a very important patron of literature and the arts.[50] She helped introduce Renaissance humanism into the kingdom by protecting Cataldus Parisus Siculus. She stimulated the first steps of Gil Vicente, who was her goldsmith, in a new career as a dramatist, and supported the printing of several books by the German printers who had just arrived in Portugal with this new development.[51] Her library, only partially known, was supplied with devotional books, technical treatises, chronicles, philosophy books, and many others which she offered to churches and to the ladies she educated.[52] Her activity in the sphere of the plastic arts was equally significant: she imported many paintings from the north of Europe, ordered others from Portuguese workshops,[53] and acquired precious liturgical objects to be used in her private acts of devotion or donated to her favourite religious houses.[54]

These queens could fulfil the role of patrons of the Church and the arts because they disposed of immense estates and valuable rents which placed them among the richest lords of the kingdom. When they married the princes or the kings of Portugal, they brought a dowry in money, jewels, and precious objects given to them by their family, but they also received from their future husbands (or the reigning king) a dower in landed property, providing them with independent resources that would secure their well-being in case of widowhood.[55] Often, these were complemented by other donations during their lifetime. For instance, the patrimony of Leonor of Beja, no doubt one of the greatest among the queens of Portugal, was constituted by three kings in three different stages: her

[50] On this kind of patronage by queens, see John Carmi Parsons 'Of Queens, Courts, and Books: Reflections on the Literary Patronage of Thirteenth-Century Plantagenet Queens', in *The Cultural Patronage of Medieval Women*, ed. by June Hall McCash (Athens: University of Georgia Press, 1996), pp. 175–201, and Madeline H. Caviness, 'Anchoress, Abbess, and Queen: Donors and Patrons or Intercessors and Matrons?', in ibid., pp. 105–54.

[51] Américo da Costa Ramalho, 'A Rainha D. Leonor e o seu tempo', *Oceanos*, 8 (1991), 96–101.

[52] De Sousa, *A Rainha D. Leonor*, pp. 889–914.

[53] Vitor Serrão, 'O mecenato da Rainha D. Leonor e a pintura de Corte', *Oceanos*, 8 (1991), 104–07.

[54] Nuno Vassalo e Silva, 'O relicário que fez Mestre João', *Oceanos*, 8 (1991), 110–12.

[55] Manuela Santos Silva, 'Óbidos, Terra que foi da Rainha D. Filipa (O senhorio de Óbidos de 1415 a 1428)', in her *A região de Óbidos na época medieval: Estudos* (Óbidos: P.H. Ed., 1994), p. 88. This was not particular to the queens as it characterized the matrimonial regime of all women in Portugal and, more globally, in southern Europe. See Diane Owen Hughes, 'From Brideprice to Dowry in Mediterranean Europe', *Journal of Family History*, 3 (1978), 262–96.

father-in-law Afonso V when the matrimonial contract was agreed in 1475, her husband João II when he acceded to the throne in 1482, and her brother Manuel I likewise when he was enthroned in 1495, and again in 1499 and 1506.[56]

During the first five reigns the information concerning these donations is very scarce. In the fourteenth century it can be said that, apart from in the towns of Torres Vedras and Alenquer, the estates donated varied from one queen to another and were scattered all around the northern and central parts of the country.[57] From the fifteenth century onward, however, there came to be a fixed patrimony known as the 'Queen's Estates' (*Terras da Rainha*) which were entrusted to every queen, and even if there was no queen for a few years, these estates kept their specific status and their officials, although they might be temporarily donated to someone else until the arrival of a new queen.[58]

In these estates, composed mainly of royal towns and their surrounding countryside but including also some minor territories, the queens received the king's property (including palaces and castles, forests, lands, granaries, mills, etc.) and all the royal rights and rents.[59] This meant that the queens could dispose of considerable amounts of money and consumable goods deriving from the direct exploitation of some of their lands and monopolies, the taxation of the Jewish communities and all the economic activities carried on in these territories (agriculture, fishing, hunting, trades, and crafts).[60] A part of these funds and goods was used to remunerate the officials that supervised these activities, collected the taxes, and judged the cases concerning them, but there remained an ample surplus to provide for the queens and their entourage.

[56] Ivo Carneiro de Sousa, *A Rainha D. Leonor*, pp.146–49.

[57] Maria Paula Marçal Lourenço, 'O Domínio Senhorial da Casa das Rainhas (1642–1781): Património, Estado e Poder', in *Amar, Sentir e Viver a História: Estudos de Homenagem a Joaquim Veríssimo Serrão*, 2 vols (Lisbon: Colibri, 1995), II, 988–89.

[58] M. S. Silva, 'Óbidos, Terra que foi da Rainha D. Filipa', pp. 90–93.

[59] Except for the *regaliae*, the rights that were considered inseparable from the person of the king and consisted of the coinage of money, the command of the army, the exercise of supreme justice and the collection of certain taxes; see Mattoso, 'Dois séculos de vicissitudes políticas', pp. 272–75.

[60] Ana Maria S. A. Rodrigues, *Torres Vedras: A Vila e o Termo nos Finais da Idade Média* (Lisbon: Fundação Calouste Gulbenkian-Fundação para a Ciência e a Tecnologia, 1995), pp. 470–77, and Manuela Santos Silva, *Óbidos Medieval. Estruturas Urbanas e Administração Concelhia* (Cascais: Patrimonia, 1997), p. 135 n. 129.

The selection of these and other officials was also an attribute of the queens. As the full jurisdiction of these territories also belonged to them, they chose the local judges and had a superior magistrate (*corregedor*) for judging the appeals coming from the local courts of justice. Other justice officials — including enquirers, jailers, porters — and the public notaries (*tabeliães*) were also nominated by the queens. As patrons of the local churches they could present their respective appointees to the bishop for confirmation.

This should have provided them with plenty of opportunities to place their ecclesiastical and secular protégés, rewarding them for their good services and fidelity. Nevertheless, it has been noted that not only some of the highest posts of the queen's household were held by the king's men[61] but even many of the lower officials were chosen from among the vassals, esquires, and servants of the king.[62] Therefore, the queens do not seem to have used their autonomy to its full extent, at least insofar as the choice of the men who worked for them is concerned.

In other spheres, however, they had a very broad interpretation of their rights. A significant part of the remaining evidence from the queens' local actions consists of complaints from the inhabitants of their estates to the kings about their excessive taxation.[63] We also know that the queens did in fact intervene in local affairs because on one hand they often protested against the obstacles the king's officials put in their way but on the other hand they overstepped their prerogatives by appointing officials to charges whose nomination belonged to the city council.[64]

Finally, some queens[65] even received the right to nominate the governors of the local castles (*alcaides*), but these had to be approved by the king and swear allegiance to him.[66] This was a very delicate matter because their role as castellans and commanders of the local armed forces meant that law, order, and the integrity of the kingdom's territory depended on the loyalty of the *alcaides* to the king.

[61] Gomes, *The Making of a Court Society*, pp. 59–60.

[62] Ana Maria S. A. Rodrigues, 'Poderes concorrentes e seus agentes na Torres Vedras Quatrocentista', in *Amar, Sentir e Viver a História* (see n. 57, above), I, 63–65.

[63] Rodrigues, *Torres Vedras*, pp. 493–94.

[64] Rodrigues, *Torres Vedras*, p. 481, and M. S. Silva, 'Óbidos, Terra que foi da Rainha', pp. 91 and 104.

[65] Not all of them, as some kings reserved to themselves the designation of the governors of the castles of the queen's estates. See João Pedro Ferro, *Alenquer Medieval (séculos XII–XV): Subsídios para o seu estudo* (Cascais: Patrimonia, 1996), p. 220.

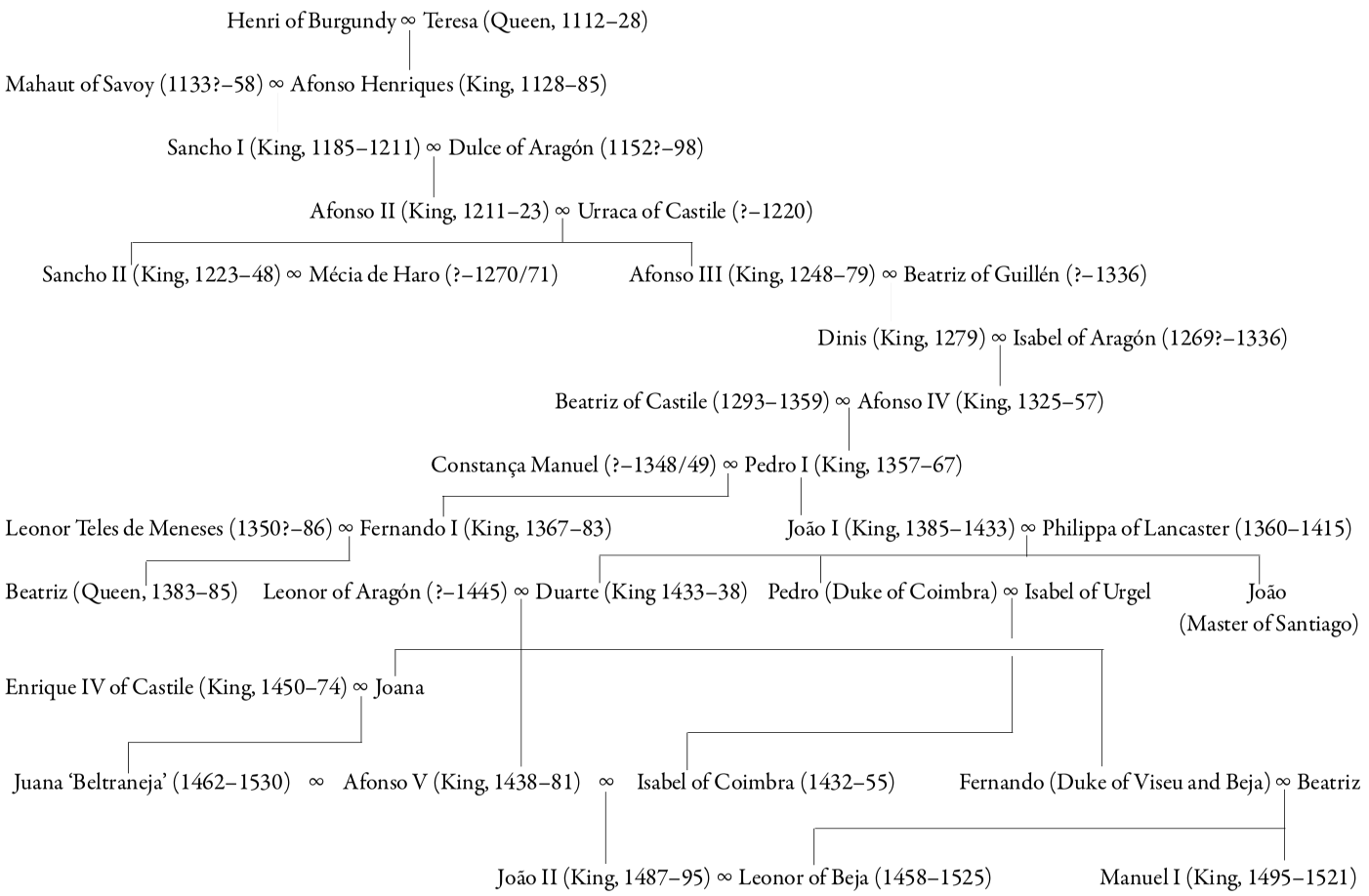
[66] Rodrigues, *Torres Vedras*, p. 483.

Now, we have a few signs that the fidelity of these men could go preferentially to their ladies instead of the sovereign in case of conflict between the two royal spouses. It has been noticed that the towns where the future Afonso IV (1325–57) sought refuge and help against his father, Dinis, were largely situated on the Queen's estates; this helps to explain why the King suspended the rights and confiscated the rents of Queen Isabel of Aragon.[67] It was also in these towns that João I found more resistance to his rule when he tried to organize the defence of the kingdom against Juan I of Castile, because they stayed loyal to Queen Beatriz and her mother, the queen regent Leonor Teles.[68]

To conclude, the documentation emanating from the queens' estates presents the kings' consorts as very rich and powerful ladies, exercising in these territories the typical seigneurial powers of commanding, judging, punishing, and taxing their inhabitants. But they do not seem to have had at their disposal any supplementary powers and resources reserved exclusively to the spouses of the sovereigns and out of reach for the other lords. For when certain queens tried to intervene in the political affairs of the realm in a direction that conflicted with their husbands' or their in-laws' interests, they found no support in the men and funds they needed to stand against them save in their own estates and then not even in all of those. This meant that in Portugal queen consorts did not enjoy personal authority nor any sort of charisma of their own but derived all their power from the specific concessions that the kings made to them.

[67] N. P. Dias, 'Dinis e Isabel', pp. 161–63.

[68] *Portugal na Crise dos Séculos XIV e XV*, p. 532.


Henri of Burgundy ∞ Teresa (Queen, 1112–28)
Mahaut of Savoy (1133?–58) ∞ Afonso Henriques (King, 1128–85)
Sancho I (King, 1185–1211) ∞ Dulce of Aragón (1152?–98)
Afonso II (King, 1211–23) ∞ Urraca of Castile (?–1220)
Sancho II (King, 1223–48) ∞ Mécia de Haro (?–1270/71)
Afonso III (King, 1248–79) ∞ Beatriz of Guillén (?–1336)
Dinis (King, 1279) ∞ Isabel of Aragón (1269?–1336)
Beatriz of Castile (1293–1359) ∞ Afonso IV (King, 1325–57)
Constança Manuel (?–1348/49) ∞ Pedro I (King, 1357–67)
Leonor Teles de Meneses (1350?–86) ∞ Fernando I (King, 1367–83)
João I (King, 1385–1433) ∞ Philippa of Lancaster (1360–1415)
Beatriz (Queen, 1383–85)
Leonor of Aragón (?–1445) ∞ Duarte (King 1433–38)
Pedro (Duke of Coimbra) ∞ Isabel of Urgel
João (Master of Santiago)
Enrique IV of Castile (King, 1450–74) ∞ Joana
Juana 'Beltraneja' (1462–1530)
∞
Afonso V (King, 1438–81)
∞
Isabel of Coimbra (1432–55)
Fernando (Duke of Viseu and Beja) ∞ Beatriz
João II (King, 1487–95) ∞ Leonor of Beja (1458–1525)
Manuel I (King, 1495–1521)

'A Woman of Subtlety and a Man's Resolution': Matilda of Boulogne in the Power Struggles of the Anarchy

Patricia Dark

Although the period of civil war in England between 1135 and 1153, known as the Anarchy, caused political turmoil on a scale unknown since the Norman Conquest, this turmoil has one little-studied but particularly interesting twist: two women, confusingly both called Matilda, played pivotal political roles in the two factions. Matilda, Henry I's daughter, known as the Empress by virtue of her first marriage to Henry V of Germany, asserted her right to ascend the throne from her arrival in 1139 to her final departure from England in 1148, and in the process championed the engagement of women in the political sphere.[1] However, as the keystone of resistance to Stephen of Blois's rule as king, she was seldom able to take action on her own behalf; instead the historical sources make it clear that she was actively removed from the scene of conflict, if her safety or freedom were in danger. How different was the situation for the second Matilda, namely Stephen's queen consort and daughter of Count Eustace of Boulogne.[2] Since this Matilda had no claim to the throne, she was able to assist her husband's fight to keep the English throne in active, practical ways. Stephen's queen was thus admirably placed to render him aid. Unlike the Empress Matilda or her immediate predecessors as queens consort, Matilda of Boulogne was lady

[1] Marjorie Chibnall, *The Empress Matilda: Queen Consort, Queen Mother and Lady of the English* (Oxford: Blackwell, 1991).

[2] Heather Tanner, 'Queenship: Office, Custom or *Ad Hoc*? The Case of Queen Matilda III (1135–1152)', in *Eleanor of Aquitaine: Lord and Lady*, ed. by J. Carmi Parsons and Bonnie Wheeler (Basingstoke: Palgrave-Macmillan, 2002), pp. 133–58.

of the vast English Honour of Boulogne, centred on Essex. Her authority as a locally dominant feudal landholder combined easily with the influence and authority she could wield as the wife of the anointed king, allowing her almost unprecedented flexibility of action. The opportunities which these various sources of power and authority opened up to her and the problems she encountered in exercising them are illustrated in this paper by a case study of her relations, and those of her husband, King Stephen, with Geoffrey de Mandeville, Earl of Essex, whose territorial ambitions in the County of Essex conflicted with Boulogne hegemony there. Although Geoffrey's turbulent career has been the subject of scrutiny by scholars from J. H. Round onward, few have considered the ramifications of the local balance of power in Essex. Geoffrey's authority there was dwarfed by that of Matilda of Boulogne, while her powerful hold on the county remained crucial to Stephen's continuing success. Conflict between the royal couple and the Earl was thus inevitable.

A few preliminary clarifications are in order. When Boulogne is mentioned, the term *county* is understood to refer to the lands in continental Europe, and *honour* to the English holdings. Use is also made of the distinction made by Erler and Kowaleski between 'influence', which is strictly informal, 'authority', a socially sanctioned right to command, and 'power', which was authority backed by violence.[3] While acting as queen consort, Matilda's authority often shaded into influence, and into power when she acted as Countess of Boulogne. Finally, I use the terms *royalist* and *imperialist* to refer to the two factions fighting in the Anarchy, in order to stress Empress Matilda's role as head of the opposition.

Matilda of Boulogne could draw on six broadly overlapping types of authority: personal, charismatic, patrimonial, wifely, queenly, and motherly. Most basic of these was her personal authority, derived from the force of her personality 'as a woman of subtlety and a man's resolution';[4] portrayed positively even by her political opponents, she may well have exercised a particularly strong influence over others. Similarly, charismatic authority, defined by André Vauchez as 'a magical quality linked to high birth' justified Matilda's political actions because, despite being a woman, she was acting the way a feudal ruler should.[5] While

[3] *Women and Power in the Middle Ages*, ed. by Mary Erler and Maryanne Kowaleski (Athens: University of Georgia Press, 1988), p. 2.

[4] *Gesta Stephani*, ed. by K. R. Potter (Oxford: Clarendon Press, 1976), pp. 122–23.

[5] '[U]ne qualité magique liée au fait de la haut naissance': A. Vauchez, '*Beata Stirps*': Sainteté et lignage en occident au XIII[e] et XIV siècles', in *Famille et parenté dans l'Occident médiéval*, ed. by Georges Duby and Jacques Le Goff (Rome: Ecole française de Rome, 1977), pp. 398–406; Gabor

deriving charisma from the saintly figures on both sides of her family,[6] she inherited the concrete authority adhering to a huge patrimony. When her father, Count Eustace III, retired to Rumilly in 1125, she became countess *jure suo* not only of an independent county but also of a vast English honour which placed her among the top ten secular landowners and gave her significant political influence.[7] The charter with which Eustace relinquished power notes that Stephen gained the county by marrying its heiress. Matilda, however, appears to have taken a strong political role from the first; she affixed her seal to Eustace's abdication charter in which she is named *comitissa*, to denote her consent, and all of Stephen's extant charters as Count of Boulogne name her as co-donor.[8]

Klaniczay, *The Uses of Supernatural Power: The Transformation of Popular Religion in Medieval and Early Modern Europe*, trans. by Susan Singerman, ed. by Karen Margolis (Cambridge: Polity, 1990), especially 'Legends as Life-Strategies for Aspirant Saints in the Later Middle Ages', pp. 94–128 (pp. 105–06).

[6] Georges Duby, *Medieval Marriage: Two Models from Twelfth-Century France*, trans. by Elborg Forster (Baltimore: Johns Hopkins University Press, 1991), pp. 4–5; Derek Baker, '"A Nursery of Saints": St Margaret of Scotland Reconsidered', in *Medieval Women: Dedicated and Presented to Rosalind M. T. Hill on the Occasion of Her Seventieth Birthday*, ed. by Derek Baker (Oxford: Blackwell, 1978), pp. 119–41 (pp. 119–21); Alan V. Murray, *The Crusader Kingdom of Jerusalem: A Dynastic History 1099–1125* (Oxford: Prosopographia et Genealogica, 2000), pp. 63–93.

[7] Philip Grierson, 'The Relations between England and Flanders before the Norman Conquest', in *Essays in Medieval History: Selected from the TRHS on the Occasion of Its Centenary*, ed. by Richard W. Southern (London: Macmillan, 1968), pp. 67–68; Edmund King, 'Stephen of Blois, Count of Mortain and Boulogne, *English Historical Review* (hereafter *EHR*), 115 (2000), 271–96 (p. 280); Heather Tanner, 'The Expansion of the Power and Influence of the Counts of Boulogne under Eustace II', *Anglo-Norman Studies*, 14 (1991), 249–86 (pp. 251, 265–67); Heather Tanner, 'Between Scylla and Charybdis: The Political Role of the Comital Family of Boulogne in Northern France and England (879–1159)' (unpublished doctoral dissertation, University of California at Santa Barbara, 1991), pp. vii and 15; Judith A. Green, 'Financing Stephen's War', *Anglo-Norman Studies*, 14 (1991), 91–114 (p. 106). See Ivor J. Sanders, *English Baronies* (Oxford: Clarendon Press, 1960), p. 151; J. Horace Round, 'The Counts of Boulogne as English Lords', in his *Studies in Peerage and Family History* (Westminster: Archibald Constable, 1901), p. 155; C. Warren Hollister, 'The Aristocracy', in *The Anarchy of Stephen's Reign*, ed. by Edmund King (Oxford: Oxford University Press, 1994), pp. 37–66 (p. 39).

[8] Alexandre Bruel, *Recueil des chartes de l'abbaye de Cluny*, 6 vols (Paris: Imprimerie Nationale, 1876–1903), V: *1091–1210* (1894), no. 3984: 'comite Boloniensi, cui hereditatem meam cum Mathildi, filia mea, dedi'; 'S. Mathildis, comitisse, que et laudavit', but Bruel does not describe Matilda's comital seal. See King, 'Stephen of Blois', p. 287.

Matilda's wifely, motherly, and queenly authorities were intertwined. Medieval society had a strong expectation that women would act to further the agendas of their husbands by influencing them or acting as proxies for them.[9] Women were also expected to safeguard the interests of their underage children. Besides moulding their characters, a politically astute mother could wield a great deal of authority during a regency or disputed succession.[10] Once Stephen assumed the throne in 1135, Matilda's authority as his wife took on a new dimension. Because she was linked to the anointed, charismatic ruler by marriage, she was wrapped in as much of the mantle of his power as he chose to give her; the example of Eleanor of Aquitaine shows, however, that this could be a double-edged sword.[11]

Matilda was particularly fortunate to be able to harness authority, both through her husband and in her own right through her Boulogne patrimony; perhaps at no time did this have so immediate and great an impact on the Anarchy as in the struggle between the Crown and Geoffrey II de Mandeville. Geoffrey's grandfather, Geoffrey I, rose from obscurity to hold a number of royal offices and a huge Essex-based fief valued at nearly eight hundred pounds annually in the Domesday Book.[12] However, William de Mandeville, Geoffrey's father, halted the

[9] Sharon A. Farmer, 'Persuasive Voices: Clerical Images of Medieval Wives', *Speculum*, 61 (1986), 517–43 (pp. 518, 521–26, 532–38, 540–43). Marjorie Chibnall, 'Women in Orderic Vitalis', *Haskins Society Journal*, 2 (1990), 105–21 (pp. 112–20); Rowena E. Archer, '"How Ladies who live on their Manors ought to manage their Households and Estates": Women as Landowners and Administrators in the Later Middle Ages', in '*Woman is a Worthy Wight*': *Women in English Society c. 1200–1500*, ed. by P. J. P. Goldberg (Stroud: Sutton, 1992), pp. 149–81; Pauline Stafford, *Queens, Concubines and Dowagers: The King's Wife in the Early Middle Ages* (London: Batsford, 1983), pp. 37–38, 40–41, 77–78, 117–20; Jean A. Truax, 'Anglo-Norman Women at War: Valiant Soldiers, Prudent Strategists, or Charismatic Leaders?', in *The Circle of War in the Middle Ages: Essays on Medieval Military and Naval History*, ed. by Donald J. Kagay and L. J. Andrew Villalon (Woodbridge: Boydell, 1999), pp. 111–25 (pp. 115–16); Megan McLaughlin, 'The Woman Warrior–Gender, Warfare and Society in Medieval Europe', *Women's Studies*, 17 (1990), 193–209 (pp. 196–97).

[10] Pauline Stafford, 'Sons and Mothers: Family Politics in the Early Middle Ages', in *Medieval Women* (see n. 6, above), pp. 79–100; Stafford, *Queens, Concubines and Dowagers*, pp. 141–42.

[11] John Carmi Parsons, 'The Queen's Intercession in Thirteenth-Century England', in *The Power of the Weak*, ed. by Jennifer Carpenter and Sally-Beth McLean (Urbana: University of Illinois Press, 1995), pp. 147–77 (p. 147).

[12] K. S. B. Keats-Rohan, 'The Prosopography of Post-Conquest England: Four Case Studies', *Medieval Prosopography*, 14 (1993), 1–52 (p. 9). David D. Douglas, *William the Conqueror* (London: Eyre and Spottiswoode, 1968), p. 269, comments that he was one of eleven men who

family's rise when he allowed Ranulf Flambard to escape from his custody in the Tower of London in 1101. Henry I's revenge cut the heart out of the Mandeville honour and imposed a crushing fine; the death of Othuer fitz Earl, heir to the escheated manors, in the White Ship Disaster of 1120 brought the Mandeville lands into Henry's own hands.[13] Geoffrey II joined Henry's entourage in order to regain them, but had not yet succeeded by 1135.[14]

Any attempt to analyse Geoffrey's career must be set against this background of a wealthy, powerful family come down in the world, which still hoped for social redemption.[15] It must also take account of the long debate by historians over his career, character, and charters.[16] J. H. Round began this debate by claiming that each charter Geoffrey received improved his position.[17] He posited that the two rivals granted alternate charters to Geoffrey,[18] with the first grant, made by Stephen (S_1) being given in the latter half of 1140 and the last, given by the Empress, between Christmas 1141 and the end of June 1142.[19] Round concluded that Geoffrey had been selling his allegiance to the highest bidder, informing his negative view of the Earl.[20] His argument, however, is hobbled by his insistence on viewing Stephen as a weak usurper, overwhelmed by his predatory, ambitious

held one-half of all tenured English land. For Geoffrey's offices, see Frank Stenton, *William the Conqueror* (London: Putnam, 1908), p. 241; Douglas, *William the Conqueror*, p. 297. Material for the following paragraphs taken from C. Warren Hollister, 'The Misfortunes of the Mandevilles', in *Monarchy, Magnates, and Institutions in the Anglo-Norman World* (London: Hambledon, 1986), pp. 117–27 (p. 118).

[13] Frank Barlow, *William Rufus* (London: Methuen, 1983), p. 254

[14] Hollister, 'Misfortunes', pp. 125–26, and n. 36; Hollister, 'Aristocracy', pp. 48–49. It seems likely that Geoffrey was born in the mid-1110s, putting him in his twenties at the end of Henry's reign.

[15] Marjorie Chibnall, *Anglo-Norman England 1066–1166* (Oxford: Blackwell, 1993), p. 75.

[16] The first and second charters granted by Stephen and the Empress respectively have been given the shorthand titles of S_1, S_2, M_1, and M_2. They are printed in *Regesta Regum Anglo-Normannorum*, H. W. C. Davis (Oxford: Clarendon Press, 1913–69) III: *Regesta Regis Stephani ac Mathildis Imperatricis ac Gaufridi et Henrici Ducum Normannorum*, ed. by R. H. C. Davis and H. A. Cronne (1968) (henceforth *RRAN*), nos 273, 274, 275, 276, in the order of S_1, S_2, M_1, M_2.

[17] J. H. Round, *Geoffrey de Mandeville: A Study of the Anarchy* (London: Longmans, Green, 1892), pp. 43–44.

[18] Yielding the order S_1, M_1, S_2, and M_2.

[19] Round, *Geoffrey de Mandeville*, pp. 49, 84–86, 138–39, 163.

[20] This is pointed out in R. H. C. Davis, 'Geoffrey de Mandeville Reconsidered', *EHR*, 79 (1964), 229–307 (henceforth 'Geoffrey Reconsidered').

nobles.[21] Davis challenged this view in a series of articles and notes,[22] dating each charter individually. He generally agreed with Round,[23] but redated M_2 to the last week of July 1141, claiming that this better fitted the witness list and contemporary political situation.[24] He also reviewed Geoffrey's character, arguing that his arrest in 1143 stemmed from the King's fear of an overmighty magnate.[25]

Prestwich continued the debate by championing Round's dating,[26] pointing out that M_2 had to have been granted only days after M_1 for the Empress to reach Winchester by 31 July 1141. He also found disturbing gaps in the witness list and references unsupportive of an 1141 date.[27] To Prestwich's mind, Geoffrey was aiming to control the court and government rather than to break away from it,

[21] Round, *Geoffrey de Mandeville*, pp. 26, 53, 98, 270–72.

[22] R. H. C. Davis, 'Comments on "The Treason of Geoffrey de Mandeville"', *EHR*, 103 (1988), 313–17 (henceforth 'Comments') and 'Geoffrey de Mandeville: A Final Comment', *EHR*, 103 (1988), 967–68 (henceforth 'Final Comment'). I use the 1964 article to illustrate his viewpoint and refer to the 1988 articles only for points raised *de novo* or radically revised therein.

[23] Davis, 'Geoffrey Reconsidered', pp. 300–01. Thus M_1, dated at Westminster, must have been given around Midsummer 1141, the only time that the Empress was there. S_2, which referred to the Battle of Lincoln, must have been later than Stephen's November 1141 release (and from its witness list, was probably given at the Christmas 1142 court). S_1 can have been no earlier than the death of Roger of Salisbury in late 1139 and no later than Geoffrey's final 1143 revolt. From its witnesses, it is likely that it was given before Stephen's departure for Lincoln in December 1140.

[24] Guy de Sablé and Pagan de Clairvaux only appear in England in July 1141. For the political timing see Davis, 'Geoffrey Reconsidered', pp. 305–06; Davis, 'Comment', pp. 313–14; Davis, 'Final Comment', pp. 967–68. If the charter had been given in 1142, Davis believed that the comment that the Londoners were Geoffrey's 'mortal enemies' was irrelevant: M_2; 'inimici [...] sunt mortales'.

[25] Davis, 'Geoffrey Reconsidered', pp. 303–04.

[26] John O. Prestwich, 'The Treason of Geoffrey de Mandeville', *EHR*, 103 (1988), 283–312 (henceforth 'Treason'). He further expanded his views in 'Geoffrey de Mandeville: A Further Comment', *EHR*, 103 (1988), 960–66 (henceforth 'Further Comment'). Prestwich, 'Treason', p. 291, for a view of Round.

[27] Prestwich, 'Treason', pp. 286–88. No clerics attested M_2 although six bishops were with Matilda until September 1141; Prestwich also notes that Guy de Sablé and Pagan de Clairvaux were not witnesses (*testes*) to the charter, and so cannot be used to date it: see Prestwich, 'Further Comment', pp. 962–63. Geoffrey of Anjou was expected imminently in England in summer 1142: Prestwich, 'Treason', pp. 290–91; Prestwich, 'Further Comment', p. 964.

with the ultimate aim of extending his influence,[28] thus making him a serious threat to other factions at court and virtually guaranteeing his downfall in a palace coup.[29] Prestwich's dating arguments are the more convincing.[30] If M_2 was granted in 1141, there are glaring holes in its witness list compared to other grants made by the Empress. It has too few witnesses and no clerics.[31] Its highly unusual wording, moreover, implies that it was a treaty between the Empress and Geoffrey.[32]

Geoffrey II de Mandeville's goal was to consolidate and maintain his family's power as high-status magnates, a direct reaction to his family's precipitous decline at Henry I's hands.[33] Key to Geoffrey's territorial ambitions was the County of Essex, the traditional seat of Mandeville power and the site of their major holdings. However, one obstacle lay between Geoffrey II de Mandeville and total dominance there — namely the honour of Boulogne and the comital family which controlled it. The Domesday Survey makes clear that the comital family was richer and more powerful by far than the Mandevilles.[34] They also had at their disposal the prestige and resources of an independent territory.[35] By 1135, this gulf would have been wider than at Domesday, since the Boulogne family had gained land and the Mandevilles had lost it.[36]

[28] Prestwich, 'Treason', pp. 299–304. The *Gesta Stephani*, pp. 160–63, comments that 'all that part of the kingdom which had submitted to the King he had so firmly brought under his control that everywhere in the kingdom he took the King's place and in all transactions was listened to more eagerly than the King and received more obedience when he gave orders'.

[29] Prestwich, 'Treason', p. 301.

[30] Davis, 'Geoffrey Reconsidered', pp. 303–04; Davis, 'Comment', p. 316.

[31] See n. 27, above.

[32] Prestwich, 'Treason', pp. 290–92; Prestwich, 'Further Comment', pp. 962–65. No chronicle evidence suggests that Geoffrey of Anjou was realistically expected in England in 1141, while the Empress's party actually took steps to entice him to England in 1142.

[33] Hollister, *Misfortunes*, pp. 117–26.

[34] See Table I.1 in Hollister, 'Aristocacy'.

[35] Tanner, 'Expansion of the Counts of Boulogne', pp. 251, 266–67; Tanner, 'Scylla and Charybdis', pp. vii and 15.

[36] John Le Patourel, *The Norman Empire* (Oxford: Clarendon Press, 1976), p. 34; Douglas, *William the Conqueror*, pp. 266–67; Round, 'Counts of Boulogne', pp. 156–61; J. H. Round, 'The Lords of Ardres', in *Feudal England* (London: Allen and Unwin, 1964), pp. 351–52; King, 'Stephen of Blois', pp. 281, 287–88.

The two families' landholding patterns reflect this disparity. At the time of Domesday, Mandeville holdings spread in a rough north-west to south-east line from Uttlesford hundred near the confluence of Essex, Cambridge, and Hertfordshire (containing the Mandeville *caput* of Saffron Walden), through Dunmow to Chelmsford hundred in the west centre of the county. There were relatively few Boulogne holdings in these three hundreds, and only one comital demesne manor.[37] The Mandevilles held only scattered estates elsewhere in the county; seven of their estates lay in the eight eastern hundreds, and five in the hundreds of Harlow, Ongar, and Chafford. The Mandevilles also dominated Braughing hundred in neighbouring Hertfordshire. In contrast, the Boulogne house held land *TRW* (*tempore regis Willelmi*) in sixteen of Essex's nineteen hundreds, with particularly large demesne holdings in Tendring hundred on the east coast, Barstaple in the south, and Ongar in the west-centre of the county. In Hertfordshire, the comital family's holdings were concentrated in Edwinstree hundred along the northern border of Essex; they had two more strategic demesne holdings in Whittlesford hundred, Cambridgeshire, on Essex's northern border. There were relatively few Essex hundreds in which both families held significant lands.

Matilda of Boulogne's writs in favour of St Martin-le-Grand in London — traditional recipient of the family's patronage — demonstrate her prestige and power in Essex.[38] The first prebend granted by a member of the laity to St Martin's was in fact a gift from Queen Matilda,[39] and particularly demonstrates the comital family's control of their estates. Phrased as a writ, Matilda ordered Walter, the incumbent priest 'that within three days after you should see this my writ, you

[37] Information for the following paragraph is taken from the maps in *Domesday Book*, ed. by Philip Morgan (Chichester: Phillimore, 1976–83), vols XII (Hertfordshire), XIV (Cambridgeshire), and XXXII (Essex).

[38] Ingelric the priest, chaplain to Edward the Confessor, founded the College around 1056; Count Eustace II of Boulogne inherited much of his land and assumed the role of patron to the house, a role which the family continued for two generations. See *The Victoria History of the County of Essex*, ed. by H. Arthur Doubleday and William Page, 10 vols (Westminster: Archibald Constable, 1903–87) (hereafter *VCH Essex*), I, 343–44; Alfred John Kempe, *Historical Notices of the Collegiate Church or the Royal Free Chapel and Sanctuary of St Martin-le-Grand* (London: Longman, 1825), pp. 33, 179–80; R. H. C. Davis, 'College of St Martin-le-Grand and the Anarchy', *London Topographical Record*, 23 (1974), 9–26 (p. 12). For the extent of Count Eustace's Essex holdings, see the translated Domesday entries in *VCH Essex*, I, 460–73.

[39] See *RRAN*, 539, *The Victoria History of London*, ed. by William Page, (Westminster: Archibald Constable, 1909), pp. 555–56. The previous two prebends had been granted by priests connected to the college.

should go to St Martin's of London and you should make fealty to the same church and canons for the Church of Witham and for all things pertaining to it'.[40] The strength of authority implied by this writ — and the bond it represented — would have been difficult for a rival lord to overcome.

Since her authority in Essex was immediate and potentially more useful there than that of Stephen, Matilda sometimes liaised between the royal court and her tenants. Between 1145 and 1147 she told Baldwin de Wissant, Constable of Boulogne:

> The Bishop of Winchester [then dean of St Martin's] has complained to the King and to me that you are troubling his land and his canons. Therefore I command [...] that you should [make sure] they have peace from you and the men who are under your authority.[41]

Although the royal court heard the complaint of the King's brother, Bishop Henry of Blois, the Queen took on the responsibility for securing the canons' tenure, chastising her tenants if necessary to ensure that it remained intact.[42] This implies a reliance on her authority in Essex, and a corresponding responsibility on her part for her tenants. Occasionally this extended to royal officials. Between 1143 and 1147, Matilda wrote to 'Richard de Luci and the sheriff and barons of Essex and all holding of the Honour of Count Eustace of Boulogne', to inform them of a Boulogne honorial court case in which 'Richard fitz Hubert *armiger* recognized in an audience [with] King Stephen and my[self] the right of the Church of St Martin [in] London to the land of Mashbury'.[43] Indeed, if the King had been the ultimate arbiter, there would be little reason to broadcast the result to broadcast the result to all the tenants of the Honour of Boulogne. Matilda of

[40] *RRAN*, 539. There is no corresponding writ of King Stephen. The translations of this and other quotations from *RRAN* are mine, unless noted otherwise.

[41] For identification of Baldwin as constable of Boulogne, see notes to *RRAN*, 557. Good Easter had been given to the college by Count Eustace II, and Matilda may still have retained rights or tenants there. At the time, Henry of Blois was not only dean of St Martin's but also Bishop of Winchester: see Davis, 'College of St Martin', pp. 19–20, 23–26.

[42] Baldwin de Wissant, Walter de Guerris, and a Manasser all appear as Boulogne tenants in Essex. See Tanner, 'Scylla and Charybdis', pp. 334–38. Another instance when Matilda dictated policy in regard to her tenants appears in *RRAN*, 556, with a writ to Bosoher of Boulogne, placing Robert, the canons' chaplain, under her peace. It appears that both Robert and Bosoher were her tenants.

[43] *RRAN*, 550. See the record of a plea *coram rege* by Holy Trinity Priory in late 1136–spring 1137, printed as *RRAN*, 506.

Boulogne's presence and consent likewise would not have been so highly stressed — in a *curia regis* settlement, judgement would have stemmed from the King alone. Matilda's announcement of the end of the case implies that she herself had heard it and that her authority had allowed her to co-opt royal officials for its enforcement.

In one case, Matilda even sent an order to Geoffrey de Mandeville. In 1141 she demanded that he, in his position as justiciar, together with

> John the sheriff and barons and ministers and all the faithful of the king and his [men] of London [...] on behalf of the king my lord and my[self] that you all permit the canons of St Martin of London to hold [...] their soke of Cripplegate and all its liberties [...] just as they freely had them in the time of King Henry or King Stephen my lord afterwards.[44]

Matilda probably used her position as landowner and patroness to reinforce the King's writ, since the royal officials in question were also her tenants.[45]

Geoffrey's desire to see his family prosper was incompatible with the maintenance of the hegemony of the Honour of Boulogne. He saw the Queen's patrimony as a threat and concentrated on annexing its land to consolidate his family's position. The first evidence of this process can be found in S_2, M_1, and M_2.[46] M_1, issued at midsummer 1141, gave Geoffrey considerable lands and rights in Essex.[47] Empress Matilda

> [gave] and conced[ed] to [Geoffrey] and his heirs one hundred pounds [worth] of land from me and his heirs in demesne, namely Newport [...] and Maldon in order to complete the aforesaid one hundred pounds[...] with all appendages and things which lay adjacent [...] in land and sea on the day on which King Henry died.[48]

Both these manors were wholly or partly royal demesne in Domesday Book.[49] Maldon had especially strong ties to the royal couple; part of the estate was held

[44] *RRAN*, 530.

[45] Geoffrey was a tenant of the Honour of Boulogne by no later than Christmas 1141, and the sheriff John may be John de Chesney, sheriff of Norfolk and Suffolk from 1146, who held Boulogne land in Essex. See *RRAN*, pp. xxiv–xxv; Tanner, 'Scylla and Charybdis', pp. 334–38.

[46] S_1 simply made Geoffrey Earl of Essex in perpetuity and confirmed him in the lands he already held.

[47] See Prestwich, 'Treason', pp. 283–84.

[48] M_1.

[49] Newport was entirely royal demesne, but part had been annexed and was held as a Boulogne fief by one of Eustace I's clerics: the Domesday entry for Newport comments that the hundred court which held this fief actually belonged to the King, see *VCH Essex*, I, 435–36.

by St Martin's of the Honour of Boulogne, while Stephen granted the remainder, previously royal demesne, to his brother Theobald before 1140.[50] Geoffrey received three other new grants in Essex, the manors of 'Depden [...] with all its appurtenances [...] the forest of Catlidge with [its] men [...] and the land of Bonhunt'.[51] He was also guaranteed unspecified lands in either Essex, Cambridgeshire, or Hertfordshire to make up the promised one hundred pounds of land,[52] and the shrievalty of Essex with 'as much of the farm of the shrievalty as pertains to Maldon and Newport'.[53]

These grants show the beginnings of Geoffrey's play for dominance in Essex. Whatever the Empress's theoretical right to alienate royal demesne, she did not control Essex at any point in her English tenure. She merely gave Geoffrey carte blanche to take land by force, and provided a legal pretext for retaining it. These particular estates were especially valuable to Geoffrey: controlling Maldon reduced the holdings of Queen Matilda and Theobald of Blois,[54] while Newport, Banhunt, and Depden were strategically placed to attack the Boulogne manor of Shortgrove in Uttlesford hundred.[55] The Empress gave Geoffrey a foothold in Boulogne territory — but also a springboard from which to mount attacks on it.[56] These estates lay in areas of scattered Boulogne holdings, making it easier for Geoffrey to assert a competing authority. Obtaining the shrievalty bolstered his prestige and authority, while a grant of farm money gave him ready cash.[57]

[50] *VCH Essex*, I, 434, 464–65, accompanying map I; Round, *Geoffrey de Mandeville*, pp. 102 and 140.

[51] M_1. For the identification of these places, see Round, *Geoffrey de Mandeville*, p. 90. Depden had been part of Ranulf Peverel's honour, while Banhunt was held by Saisselinus, a Suffolk tenant-in-chief, *TRW*.

[52] This appears to have been part of an attempt to disseise Count Theobald, Stephen's brother. See M_1.

[53] M_1.

[54] And, given the town's position as a port, possibly strategic control of shipping as well.

[55] Shortgrove was held *TRW* by Adelolf de Merc of the Count: see *VCH Essex*, I, 463, and accompanying map; Round, 'Lords of Ardres', pp. 351–52. Shortgrove lay between Newport in the south and Saffron Walden in the north, leaving it open to a pincer attack.

[56] This is particularly true of the grant of Newport, which lay within the Mandeville family's main power base, but close enough to a Boulogne manor to act as a springboard.

[57] Note that it would also give the Empress political and financial leverage in her rival's stronghold.

Receiving additional land in Essex, Cambridge, or Hertfordshire increased Geoffrey's power in his heartland and diluted Boulogne authority where the Honour was the principal lay landowner.[58]

The provisions of M_2, from late spring of 1142, were less land-heavy than M_1 but still reflect Geoffrey's goal of local dominance. Empress Matilda confirmed him in the shrievalties and justiciarships of Essex, Hertfordshire, London, and Middlesex.[59] She also gave Chrishall and Bendish Hall, Radwinter, Essex, to his son, Ernulf.[60] Both these estates, in Freshwell hundred, were Boulogne demesne estates at the time of Domesday.[61] They lay within striking distance of other Boulogne estates further south and over the border in Cambridgeshire. Together with the estates he had already received, Geoffrey could have created a Mandeville hegemony in north-west Essex, and one potentially powerful enough to overwhelm the remaining Boulogne manors in Uttlesford hundred.[62] Coupled in turn with his significant holdings in Dunmow and Chelmsford hundreds, this might have allowed him to split the county in half between west to east.

Boulogne estates granted in return for support proved to be excellent bribes for Empress Matilda to offer. They gave her a desperately needed grip on Stephen's loyal heartland, by installing a rival there, and allowing her to support her husband, Count Geoffrey of Anjou. Dispensing royal offices served as another excellent, dual-purpose bribe. Geoffrey de Mandeville received extra authoritative leverage, cash, and a traditional family post; the Empress gained an official — and the revenue which he could bring in. Co-opting the man responsible for revenue collection and lawsuits could cause administrative gridlock and deprive Stephen of much needed funding, wreaking havoc on his ability to continue the war.[63]

[58] The Mandeville heartland was north-west Essex, at the confluence of those three counties: *VCH Essex*, I, 343–44 and accompanying map; Round, 'Counts of Boulogne', p. 155; the Domesday map in *VCH Herts*, I.

[59] M_2. Although it is likely that he had originally received them from Stephen, the Empress would accrue a significant tactical advantage by ensuring that those posts were held by one of her sympathizers.

[60] M_2.

[61] See Round, *Geoffrey de Mandeville*, p. 168; *VCH Essex*, I, 470–71.

[62] See the Domesday map in *VCH Essex*, I. Bendish Hall, near the northern border between Essex and Cambridgeshire and Chrishall, in the extreme north-west corner of Essex on the Hertfordshire border, both lay within the Mandeville heartland.

[63] The grant of Eudo *dapifer*'s lands may have served a similar purpose, by depriving the royal couple of estates and income; however, note that the Empress would not allow Geoffrey to retain

The royal couple also made grants to Geoffrey in Essex. While S_1, dating from Whitsun 1140, did not grant land to Geoffrey, Matilda of Boulogne herself did indeed make some grants to him. Unfortunately, although S_2 confirms 'whatever the charter of the queen bears witness to' this charter itself does not survive.[64] The *Gesta Stephani* also points out that 'everywhere by prayer or price [Matilda] won over invincible allies' for her husband in 1141.[65] It is likely that in some cases these allies were drawn by bribes. Although it is impossible to tell what these grants might have been, they probably involved strategic grants in Essex. Geoffrey was castellan of the Tower in 1141; as such, he was almost certainly in London when the Queen arrived there in the late summer of that year. His tactical position inside the Tower would have been almost impregnable, and it is likely that he was still in active revolt when Queen Matilda arrived. He may not have been in a position to dictate terms to the Queen, but the quickest and easiest way to obtain his support was by means of a bribe, the most effective of which would be new Essex estates.[66]

S_2 also contained a number of Essex grants. Stephen confirmed the grants which Geoffrey had received from the Empress — Maldon, Newport, Banhunt, and Depden — and added 'Writtle for [one hundred and twenty pounds], and Hatfield [Broadoak] for [eighty] pounds'.[67] He also

> gave and conceded [...] one hundred pounds of land from escheated lands, namely all the land which Robert of Baenton held in Essex, namely Rainham and Great Holland and Amberden and Woodham Mortimer and Easton which Picard de Danfront held. And Ickleton with all its appurtenances for one hundred pounds. And [...] I gave and firmly conceded [...] one hundred pounds of land to Ernulf de Mandeville to hold of that same Earl Geoffrey, namely Anstey and Braughing and Ham with all their appurtenances. And one hundred shillings of land in Hatfield [Broadoak] to make up the aforesaid one hundred pounds of land.[68]

his patrimonial lands if he inherited Eudo's, presumably to stop him from forming the kind of broad-based hegemony enjoyed by the Boulogne family.

[64] S_2. Note that M_2 also refers to a charter of the Queen when it confirms 'that 200 pounds of land which King Stephen and Queen Matilda gave to him'.

[65] *Gesta Stephani*, pp. 126–27. See Round, *Geoffrey de Mandeville*, pp. 118–19.

[66] The chronicle evidence shows that Geoffrey switched sides relatively quickly in 1141, and the Queen's patrimonial land was easiest for her to alienate.

[67] S_2. For identification of these estates, see Round, *Geoffrey de Mandeville*, p. 140.

[68] S_2.

Finally, Ernulf received 'the [knight] service of Adam de Sumeri in relation to the fee of Elmdon for three knights'.[69]

These grants highlight Geoffrey's preoccupation with Essex and the Honour of Boulogne. The value of the estates transferred to Geoffrey's control is telling. Writtle and Hatfield Broadoak were worth two hundred pounds, and combined with the other estates which he received, this charter significantly boosted his income, status, and prestige. Moreover, many of these estates came from the Honour of Boulogne. Writtle, Hatfield, Ickleton, Anstey, and Braughing were all demesne estates, while a tenant held Elmdon.[70] Alienating these estates would increase the scope of Geoffrey's authority and wealth while undermining the Honour of Boulogne.

However, Stephen appears to have made an attempt to limit the adverse fallout to his own authority and finances. As the charter notes, several of these grants were escheated lands — granting them away did not adversely affect the royal finances. Unlike the Empress's grants, moreover, which tended to be in the Mandeville heartland where Boulogne holdings were thin, Stephen's grants were more geographically scattered and tended to be in Boulogne-dominated areas. Although Writtle was in Chelmsford hundred, where Mandeville holdings were prominent, several factors probably diluted its impact: much of this holding was sub-infeudated, the new manor was somewhat further south and thus isolated from its neighbours, and it lay relatively close to the Boulogne-dominated Ongar hundred.[71] Hatfield Broadoak, in Harlow hundred, and Rainham, in Chafford, were also significantly isolated. Great Holland, in Tendring hundred, lay in an area of few Mandeville holdings in a rough circle of Boulogne manors.[72] Of the Essex manors granted to Geoffrey in S_2, only Elmdon, Amberden, and Woodham Mortimer lay in the family's north-west stronghold; of these, only Elmdon was previously Boulogne land.[73] The non-Essex manors granted to Geoffrey in S_2 were Boulogne lands and lay in the Mandeville heartland, but

[69] S_2. For identification of this manor, see Round, *Geoffrey de Mandeville*, p. 141.

[70] For the identification of these estates, see Round, *Geoffrey de Mandeville*, p. 141; see Prestwich, 'Treason', pp. 288–89.

[71] Where the Honour held eight manors, mostly just to the west of Writtle.

[72] See the Domesday map in *VCH Essex*, I.

[73] Geoffrey I de Mandeville held Easton in Domesday Book; see Round, *Geoffrey de Mandeville*, p. 141.

even here Stephen diluted the impact, since these manors lay close to other Boulogne holdings.[74]

Geoffrey's desire and bid for territorial hegemony is obvious, as is the tension that this created between him and the royal couple. As can be clearly seen from the grants made to him by the Empress, Geoffrey wished to gain estates that would help him consolidate his hold on the north-west corner of the County of Essex, where the majority of his holdings — and relatively few belonging to the Honour of Boulogne — were situated.[75] The secondary thrust of his ambition was to diminish the power of the royal family by taking estates belonging to the Honour of Boulogne, simultaneously boosting his power while lowering that of his rival in the area. The Empress, who had a stake in curtailing the royal family's dominance in Essex, appears to have been happy to give Geoffrey leeway in amassing a personal power base — by granting him estates in his existing area of control, such as Newport, Banhunt, Chrishall, and Bendish — although she drew the line at the kind of hegemony enjoyed by the Honour of Boulogne.[76]

Stephen and Matilda, on the other hand, simply could not afford to have a rival in Essex with a well-delineated and exclusive power base. Although the King (and probably also Matilda) alienated Boulogne manors — perhaps because Stephen had no other option if he was to reconfirm Geoffrey's support — he did so in a way that would, ultimately, spread the Earl's resources thin, by forcing him to garrison and staff estates all over the county. This probably reflects Stephen's need to stabilize and control his power base during the long illness that he suffered following his release from captivity.[77] He desperately needed Geoffrey's support and might have been too weak to resist his demands. It is likely, however, that

[74] See the Domesday maps in *The Victoria History of the County of Hertford*, ed. by William Page, 4 vols (Westminster: Archibald Constable & Co., 1902–14) (hereafter *VCH Herts*), vol. I, and *The Victoria History of the County of Cambridge and the Isle of Ely*, ed. by Louis F. Salzman, 10 vols (London: Oxford University Press, 1938–2002), vol. I: Anstey and Braughing were at the north and south ends respectively of a rough circle of eleven Boulogne manors in Elmdon and Braughing hundreds, while Ickleton, although on the Essex/Cambridgeshire border, was isolated from Mandeville holdings in Cambridgeshire and Essex, while being close to other Boulogne demesne estates there.

[75] The fact that most of the castles in Essex were found in this area is perhaps proof of Geoffrey's intentions; see Emilie M. Amt, *The Accession of Henry II in England: Royal Government Restored 1149–1159* (Woodbridge: Boydell & Brewer, 1993), pp. 70–71.

[76] Note that M_1 specified that Geoffrey must renounce his patrimony in order to obtain Eudo *dapifer*'s English lands.

[77] Prestwich, 'Treason', p. 292.

Stephen saw his second charter, like M_2 after it, as a conditional grant, and would accordingly have refused to honour the grant when in a stronger tactical position.

That Geoffrey was highly ambitious is unquestionable; the most obvious focus of his ambitions was to take over regional hegemony in Essex from the counts of Boulogne. The final question to consider is why Stephen arrested Geoffrey in1143. Although a significant part of the debate between Prestwich and Davis dealt with this question, both men seem to have missed the most obvious answer: Geoffrey's attempts to wrest control of Essex from them were intolerable to the King and Queen. In a very real sense, Essex was the linchpin of Stephen's ability to rule, and any change in the balance of power there seriously endangered the King's hold on the throne.[78] Control of Essex gave Stephen much-needed money, which 'in war [...] is poured out in fortifying castles, in soldiers' wages, and in numerous other ways'[79]. Essex was one of the few areas of the country under royal control during Stephen's entire reign, and so was among the most stable, which made it much easier for royal officials to collect taxes and fines.[80]

Essex also gave Stephen added control of London and the port of Dover.[81] This was vital for access to the Continent; Stephen relied on this for access to revenue and feudal levies from Boulogne, as well as Flemish mercenaries.[82] However, trade may have been the most important factor in Stephen's desire to retain control of Essex. Boulogne and Wissant were 'the chief continental ports on the short sea crossing from France to England'; most if not all of this trade would be funnelled into south-eastern England, and particularly London.[83] Although Stephen controlled the continental side of the route, it was critical that he also should control the English side; trade was a vital component of Essex's wealth, and the ready cash of Flemish traders and the Templars provided him with loans.[84]

[78] This threat may well have been seen as a treasonable challenge.

[79] From the *Dialogue of the Exchequer*, cited by John O. Prestwich, 'War and Finance in the Anglo-Norman State', *Transactions of the Royal Historical Society*, ser. 5, 4 (1954), 19–43 (p. 19).

[80] Amt, *Accession*, pp. 64, 68, 70–71, 77–78, 80.

[81] Amt, *Accession*, pp. 85–86, comments that Faramus of Boulogne, a relative and intimate of the Queen was castellan of Dover and held the Honour of Peverel of Dover. It is most likely that Matilda gave a relative this position in order to ensure the continuous flow of cross-Channel traffic.

[82] Amt, *Accession*, pp. 83, 87.

[83] King, 'Stephen of Blois', p. 280; Amt, *Accession*, pp. 83, 87.

[84] Much of the following is drawn from Green, 'Financing War', 105–07. For an example of the royal family alienating a Boulogne estate (presumably) to raise money, see *RRAN*, 243, where

In particular, the King's hold on the capital, resulting in large part from the support of the citizens of London, may have hinged on the continuance of trade between south-eastern England and the Continent. Edmund King has commented that 'as count of Boulogne he controlled their most important trading outlet, and his landed base in Kent and especially in Essex took his power up to the city walls'.[85] This good relationship allowed Stephen access to money markets, special aids, and, of course, the military aid which drove the Empress from the city in 1141.

Finally, Stephen drew many of his officials from Essex. A late charter of Matilda of Boulogne describes Henry of Essex, a significant local magnate, as the King's constable. Henry was probably also an itinerant justice.[86] A number of other royal officials were also Boulogne tenants. Both Richard de Lucy, the sheriff and local justice (of Essex and Hertfordshire), and Maurice de Tiretot, the sheriff of Essex after 1147, held land of the Honour of Boulogne, while the tenant Hamo de St Clair was probably castellan of Colchester.[87] Green notes that 'the centre of gravity of Stephen's financial administration shifted towards London and the south-east' during this period, presumably in response to the location of Stephen's power base and most loyal following.[88] A substantial shift in the balance of power there carried the risk that these men would gradually defect as well, leaving Stephen without an effective administration — and therefore bleeding revenue.

In short, the County of Essex became the cornerstone on which King Stephen built his power. His ability to keep hold of his throne rested on the revenue and men of the County of Boulogne, and the income generated in London by cross-Channel trading. Without these monies, Stephen would have been unable to pay the mercenaries who increasingly formed the backbone of his armies. However, Geoffrey II de Mandeville, whose family was second in wealth, authority, and prestige only to the counts of Boulogne, threatened royal control of Essex. Geoffrey, spurred on by the added incentive of a family humiliation, was led to

Queen Matilda mortgages Gamlingay, Cambs to Gervase de Cornhill. See Amt, *Accession*, pp. 64–65, 91–92, 95.

[85] Edmund King, 'King Stephen and the Anglo-Norman Aristocracy', *History*, 59 (1974), 180–94 (p. 183).

[86] The charter is *RRAN*, 503; see *RRAN*, III, pp. xx, xxiii. Henry was the son of Robert fitz Sweyn, and is described in Amt, *Accession*, pp. 66–67, as one of Essex's 'old' magnates.

[87] See Amt, *Accession*, pp. 67–68; Green, 'Financing War', pp. 108–09.

[88] See Green, 'Financing War', p. 110.

make a concerted effort to gain control of Essex estates, especially those held by the Boulogne comital family. In this, Matilda the Empress aided him, using her charters to condone his expansionism, particularly in those areas where he was already powerful. In contrast, Stephen and his wife only alienated land as a last-ditch resort, and then perhaps only as a temporary measure.

Queen Matilda's role in these struggles is not always easy to detect. Her activity in support of King Stephen during his captivity and subsequent illness was relatively public and attracted the favourable comment of chroniclers; her role during the following years of Stephen's reign is less easy to detect. However, the control of Essex, which was so vital to Stephen's hold on the English throne, depended to a large extent on Matilda's hereditary possession of the County of Boulogne on the Continent and the honour of Boulogne in England. Matilda of Boulogne was in an unusual position as a woman of strong character, who was not only a major landowner in England in her own right but also the consort of King Stephen. The conventions of feudal lordship, which harnessed a wife's property to the interests and needs of her husband, plus the fact that Stephen and Matilda were a united couple — Matilda being resolutely supportive of Stephen's authority as king — make it difficult at times to distinguish her actions from his. Certainly grants of lands of the Honour of Boulogne were often made in Stephen's name as well as Matilda's, and Stephen even made grants alone. But Matilda also made grants in her own name and appears at times to have used the authority and prestige bestowed upon her by her position as queen to add force to instructions issued with regard to her honorial lands. To characterize her activity as limited to the exercise of informal influence would perhaps be unduly restrictive. She had the sources of both authority and power which noble birth and extensive possessions gave to any great lord, plus the less easily definable but nevertheless extensive resources of prestige, influence, and power that derived from her role as queen consort. And in Matilda's case she had the qualities of judgement and strength of character to make good use of the opportunities afforded by these various sources of power and authority. 'A woman of subtlety and a man's resolution' she was unfailing in her support of her husband and his position as king.

The Power of Personal Networks: Clerics as Political Actors in the Conflict between Capetian France and the County of Flanders during the Last Decade of the Twelfth Century

Walter Ysebaert

In recent studies power and authority have been analysed from different points of view, with treatment of such aspects as the legitimation and exercise of power, the institutionalization of authority, the relation or tension between secular and ecclesiastical power, or the discourse of power according to a wide variety of sources.[1] In the contribution which follows, the focus is different, as the concept of power is particularly linked with social interaction and with the

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[1] For an overview, see for example *Negotiating Secular and Ecclesiastical Power: Western Europe in the Central Middle Ages*, ed. by A.-J. Bijsterveld, Henk Teunis, and Andrew Wareham (Turnhout: Brepols, 1999); *The Experience of Power in Medieval Europe, 950–1350*, ed. by Robert F. Berkhofer, Alan Cooper, and Adam J. Kosto (Aldershot: Ashgate, 2005), *Le Pouvoir au moyen âge: Idéologies, pratiques, représentations*, ed. by Claude Carozzi and Huguette Taviani-Carozzi (Aix-en-Provence: Publications de l'Université de France, 2005); and *Das Sichtbare und das Unsichtbare der Macht: Institutionelle Prozesse in Antike, Mittelalter und Neuzeit*, ed. by Gert Melville (Cologne: Böhlau, 2005).

mechanism of network building, concentrating on the clerical milieux of Capetian France in the late twelfth century. More specifically, it will be shown how influential individuals within the clergy, related to each other through formal hierarchical ties as well as through the informal bonds of friendship and patronage, could form personal groupings or networks which played an important role in the political field. Instead of an opposition or contradiction between secular and ecclesiastical power, here mutual interdependance and shared interests become visible, and ecclesiastical appointments and canonical measures and sanctions fit into broader political strategies. In this case, the actions of individual prelates cannot be understood when studied separately or when solely linked to the authority which derived from their status as ecclesiastical officials. They have to be considered within their 'network setting', and this is the case for the impact of their actions as well, as will become clear by focusing on the relations between and the actions of several important prelates, the most famous of them being Stephen of Orléans and William of Champagne, the powerful archbishop of Reims.

The letters of Stephen of Orléans (1128–1203), better known as Stephen of Tournai, are famous; they reveal that this prelate was not only an important canonist and letter writer who held several important ecclesiastical positions: he was successively Abbot of Saint-Euverte, Orléans, Abbot of Sainte-Geneviève, Paris, and Bishop of Tournai,[2] but also that he carried out several missions under the authority or on the orders of the Capetian king Philip II Augustus (†1223), thus being an important player in what could be called the *political* field.[3] It is not clear how important Stephen was for the Capetian king

[2] For detailed biographical information on Stephen of Orléans, see Joseph Warichez, *Étienne de Tournai et Son Temps, 1128–1203* (Tournai: Casterman, 1937), which is outdated in several respects; corrections with regard to biographical dates given in Warichez or with regard to the *epitheton ornans* 'of Orléans' are given in Walter Ysebaert, 'Cinq lettres inconnues d'Étienne d'Orléans (1128-1203)', in *Sacris Erudiri: A Journal on the Inheritance of Early and Medieval Christianity*, 45 (2006), 353–78. The letters of Stephen of Orléans are most recently edited in Jules Desilve, *Lettres d'Étienne de Tournai* (Valenciennes: Lemaitre/Picard, 1893)(henceforth 'DS' followed by the number of the letter), which is not complete. Additions concerning this and five unknown letters of Stephen of Orléans are to be found in Ysebaert, 'Cinq lettres'.

[3] Examples are to be found in George Conklin, 'Les Capétiens et l'affaire de Dol de Bretagne, 1179–1199', *Revue d'histoire de l'Église de France*, 78 (1992), 241–63; George Conklin, 'Law, Reform and the Origins of Persecution: Stephen of Tournai and the Order of Grandmont', *Mediaeval Studies*, 61 (1999), 107–36; Charles Vulliez, 'Etudes sur la correspondance et la carrière d'Étienne d'Orléans dit de Tournai († 1203)', in *L'abbaye parisienne de Saint-Victor au moyen âge, Communications présentées au XIII^e colloque d'humanisme médiéval de Paris, 1986–88*, ed. by Jean

during his period of tenure of his different offices, nor are all the political affairs in which he was involved known for certain.[4] Yet, it is safe to assume that he was not an immediate collaborator or member of the royal curia, but that on the contrary he has to be situated on a secondary level, acting clearly on behalf of the Capetian royal interest, but doing so in most cases not through direct assignment by the King, but via the powerful Archbishop of Reims, William of Champagne,[5] who acted as an intermediary.[6]

The particular relationship between William of Champagne and Stephen of Orléans, as it can be studied mainly through the latter's letters, will function as a starting point for this article. As appears in recent studies, medieval letters are of major importance for the study of personal relations[7] — therefore many historians

Longère (Paris: Brepols, 1991), pp. 195–231, and Walter Ysebaert, 'Ami, client et intermédiaire: Étienne de Tournai et ses réseaux de relations (1167–1192)', *Sacris Erudiri: A Journal on the Inheritance of Early and Medieval Christianity*, 40 (2001), 415–67 (especially 454–59).

[4] This forms part of the author's further research.

[5] On William of Champagne, see below.

[6] Stephen's relations with Louis VII (the father and predecessor of Philip II Augustus) were very close near the end of the latter's life, so he might have been part of Louis VII's inner circle (he later also wrote his epitaph, see DS pp. 443–444, no. 9), but this is not the case for Philip II Augustus. On Stephen's relations with Louis VII, see Ysebaert, 'Ami, client', pp. 454–59. According to Yves Sassier, *Louis VII* (Paris: Fayard, 1991), pp. 417–20, Stephen belonged to the curia of Louis VII, but this cannot be confirmed; with regard to the curia see for example John W. Baldwin, 'L'entourage de Philippe Auguste et la famille royale', in Robert-Henri Bautier, *La France de Philippe Auguste: Le Temps de Mutations* (Paris: CNRS, 1982), pp. 59–73, John W. Baldwin, *The Government of Philip Augustus: Foundations of French Royal Power in the Middle Ages* (Berkeley: University of California Press, 1986), p. 35, and Pierre Desportes, 'Les pairs de France et la couronne', *Revue Historique*, 282 (1989), 305–40.

[7] See for example John McLoughlin, '*Amicitia* in practice: John of Salisbury (*c.* 1120–1180) and His Circle', in *England in the Twelfth Century: Proceedings of the 1988 Harlaxton Symposium*, ed. by Daniel Williams (Woodbridge: Boydell, 1990), pp. 165–81; Margaret E. Mullett, 'Byzantium: A Friendly Society?', *Past and Present*, 118 (1988), 1–24; Margaret E. Mullett, 'Patronage in Action: The Problems of an Eleventh-Century Bishop', in *Church and People in Byzantium (Twentieth Spring Symposium of Byzantine Studies, March 1986)*, ed. by R. Morris (Birmingham: Centre for Byzantine, Ottoman and Modern Greek Studies, 1990), pp. 125–47; Julian Haseldine, 'Understanding the Language of *Amicitia*: The Friendship Circle of Peter of Celle (*c.* 1115–1183)', *Journal of Medieval History*, 20 (1994), 237–60; several contributions in *Friendship in Medieval Europe*, ed. by Julian Haseldine (Stroud: Sutton, 1999); or Walter Ysebaert, 'Medieval Letter-Collections as a Mirror of Circles of Friendship? The Example of Stephen of Tournai, 1128–1203', *Revue belge de philologie et d'histoire / Belgisch tijdschrift voor filologie en geschiedenis*, 83 (2005), 31–46.

direct their attention primarily to an intensive and detailed analysis of these sources. But by focusing essentially on letter collections, one gets a one-sided and centralized picture, in which in most cases the author of the letters seems to be the leading man of the 'story'. In the present case, it will emerge that paying attention to the larger context (and other sources) not only helps to correct this image, but also provides important information which completes the picture derived from the sometimes fragmented material or indications which letters can offer. Thus, the focus will shift from Stephen of Orléans to William of Champagne, and from their reciprocal relationship to, especially, the latter's broader personal networks and political activities. By way of illustration (and in order to narrow the focus of the enquiry) attention will be paid especially to the political context of the conflicts between Capetian France and the County of Flanders, during the period from 1190 until 1200. Not only will the importance of the role which these two and other prelates played during this period become clear, but the impact of building up personal relations and the power-mechanisms which could operate throughout personal networks will become apparent.[8]

About forty-nine of the more than three hundred letters of Stephen of Orléans that are preserved were addressed to William of Champagne.[9] This is a large number, which makes William by far and away the most 'popular' of the 127 addressees of the whole gathering of Stephen of Orléans's letters. William of Champagne himself (1135–1202), often referred to as William of the White Hands, was a member of the important house of Blois and Champagne and, through the marriage of his sister Adèle with King Louis VII, was related to the royal dynasty (he was thus the uncle of King Philip II Augustus). He became respectively bishop-elect of Chartres (1164), Archbishop of Sens (1168/69), and Archbishop of Reims (1176), acted as papal legate in the Becket affair, and was elevated to the dignity of cardinal in 1179. After his reconciliation with Philip II Augustus in 1182 (there had been disputes for two years), he became his right-hand man and was in the King's presence at most recorded events throughout the 1180s and 1190s. When Philip II Augustus departed on crusade in 1190, he conferred the regency of the kingdom not only on his mother, Adèle, but also on her brother, William of Champagne. The chapter of Chartres seems to have called

[8] It is clear that this subject should be worked out and that, for example, the whole career of Archbishop William of Champagne should be investigated — which is part of the author's current research — but given the small number of biographical studies of the Archbishop (see below) is it not possible yet to do so in detail.

[9] Exact figures in Ysebaert, 'Cinq lettres'.

William 'the counsellor of the king and realm, as if second king himself'[10] — possibly a slight exaggeration, though it is clear that he was undoubtedly one of the most powerful persons during the first two decades of Philip II Augustus's reign.[11]

Stephen of Orléans's letters addressed to William of Champagne, which cover the whole period of his career, have a varied and sometimes multilayered character. Some of these can be considered as business letters,[12] others were interventions for third parties or abbeys or for Stephen himself,[13] while still others pointed at problems with which Stephen was confronted,[14] or informed the Archbishop about political and/or other affairs,[15] or referred to a mandate Stephen had to fulfil,[16] often combining several of these aspects. The number of letters led at least one historian to affirm that Stephen of Orléans and William of Champagne were bound by an 'intimate and warm friendship'.[17] However, it is highly questionable whether their relationship can be characterized in this way. The number of references in the letters to friendship, *amicitia* (or *caritas*) is nil, no *topoi* referring to friendship can be found, and the way Stephen addresses William in his *salutationes* reveals nothing; Stephen depicts himself only once as William's 'friend'.[18] Nor did he write to him what have been called 'real letters of

[10] Quoted in Baldwin, *Government of Philip Augustus*, p. 32.

[11] Until recently, the two most extensive studies on this remarkable prelate were Jules Mathorez, 'Guillaume aux Blanches-Mains', *Archives historiques du diocèse de Chartres* (1911), 187–340, and John R. Williams, 'William of the White Hands and Man of Letters', in *Haskins Anniversary Essays in Medieval History*, ed. by C. H. Taylor (Boston: Houghton Mifflin, 1929), pp. 365–87. With regard to the most important dates of his career, one can now consult Ludwig Falkenstein, 'Wilhelm von Champagne, Elekt von Chartres (1164–1168), Erzbischof von Sens (1168/69–1176), Erzbischof von Reims (1176–1202), Legat des apostolischen Stuhles, im Spiegel päpstlicher Schreiben und Privilegien', *Zeitschrift des Savigny-Stiftung für Rechtsgeschichte, Kanonistische Abteilung*, 120 (2003), 107–284, summarized in Ludwig Falkenstein, 'Guillaume aux Blanches Mains archevêque de Reims et légat du siège apostolique', *Revue d'histoire de l'Église de France*, 91 (2005), 5–25.

[12] E.g., DS 130, 131, 144, 203, 204, 205, 226, 229, 231, 241, 249, 263, 269, 285.

[13] E.g., DS 22, 24, 37, 55, 70, 75, 97, 120, 134, 155, 157, 185, 197, 199, 200, 213, 214, 215, B5, B9.

[14] E.g., DS 102, 142.

[15] E.g., DS 14, 221, 242, 252, 255, 267.

[16] E.g., DS 29, 45, 46, 52, 199, 215.

[17] Warichez, *Étienne de Tournai*, passim.

[18] DS 120: *amicus vester*. Using language as an indicator for the existence of personal relations (e.g., friendship) is particularly dangerous; see Ysebaert, 'Medieval Letter-Collections', pp. 45–46.

friendship', discussing nothing more than the topics of friendship and/or love, or inviting the Archbishop to establish a bond of friendship.[19] On the contrary, most letters seem to indicate a relation which was not only formally hierarchical (viz. an abbot or bishop vis-à-vis an archbishop and cardinal), but which was also conceived of as such. Two letters perfectly illustrate this. In the first letter, probably written in 1191,[20] Stephen, at the time still Abbot of Sainte-Geneviève, referred to a mission ordered by the Archbishop, which dealt with the order of Grandmont. Stephen had been involved in the Grandmont affair some years earlier (1185–87); the incidents which had set the *conversi* of the order against the clerics had led to a temporary exile of the latter, an event which in certain milieux had been regarded as a scandal.[21] In his letter to the Archbishop, Stephen, strengthening his arguments with biblical allusions,[22] lamented that again he was commissioned to go to Grandmont, but he concluded by citing Luke, saying that in any case 'he was prepared, on his [i.e. the Archbishop's] command, to go to the dungeon or even to die'.[23] In another letter written in 1196 and addressed to Archbishop William, Stephen, by then Bishop of Tournai, similarly cites Luke 22. 33. Here he was looking for excuses not to be compelled to go to the consecration of the Bishop of Chalôns, an event in which he apparently had to participate by order of the Archbishop. Stephen explained all the reasons why his presence was almost impossible, but in the end concluded in the same style by writing that as always he would obey the Archbishop's wish.[24]

This was also the conclusion of an international workshop held during the International Medieval Congress in Leeds in 2005 — workshop organized by the Medieval Friendship Network.

[19] As can be found in the letter collections of Peter of Celle or Anselm of Bec; see Haseldine, 'Understanding the Language', pp. 237–60, and Richard W. Southern, *Saint Anselm: A Portrait in a Landscape* (Cambridge: Cambridge University Press, 1990).

[20] DS 199.

[21] See especially Jean Becquet, 'La première crise de l'ordre de Grandmont', *Bulletin de la Société archéologique et historique du Limousin*, 87 (1958), 283–324, and letters DS 148, 149, 152, 154, 166, 167, 174, and 186.

[22] The whole paragraph in DS 199 which relates to his mission to Grandmont is punctuated with allusions to 1 Kings 17.

[23] DS 199: 'ad mandatum vestrum paratus sum et in carcerem et in mortem ire'; Luke 22. 33: 'Domine, tecum paratus sum et in carcerem et in mortem ire.'

[24] DS 215: 'quam si plene cognovero, paratus sum pro mandato vestro et in carcerem et in mortem ire.'

It is remarkable that this sentence, this quotation, can only be found in these two letters, both addressed to William of Champagne. In Stephen of Orléans's collection a very large number of letters were written to popes, cardinals, archbishops, and bishops. In some of these letters, Stephen proves that he was executing what they had asked or even ordered him to do, and in others he was apologizing for the fact that he was not doing so, but he never used the same words as he does to the Archbishop;[25] his expressions were on the contrary much more moderated.[26] One could wonder if the particular application of this expression, the citation from Luke, when compared with other similar letters, might indicate the relationship between Stephen of Orléans and William of Champagne. Instead of seeing them as intimate 'friends', one could with caution speak in this case of a 'patron-client-relationship', a vertical, reciprocal exchange relationship between a superior, William, and an inferior, Stephen, with informal obligations for both parties, a relationship which crossed the formal boundaries of ecclesiastical institutions and offices, since William, as Archbishop of Sens or Reims, had in reality no jurisdiction or authority over Stephen, when the latter was acting as Abbot of Saint-Euverte or Sainte-Geneviève. On the contrary, it had everything to do with individual choices and carefully built-up personal contacts, based on the exchange of services and obligations.[27] The content of the letters themselves as well as other source material seems to confirm this suggestion. As already mentioned Stephen was frequently sent on missions by the Archbishop, sometimes against his own will. When addressing William of Champagne, he depicted himself repeatedly as the latter's 'loyal and devoted servant',[28] and in one

[25] Stephen uses the same expression on one other occasion, viz. DS 48. In this letter, addressed to an unknown pope, he interceded as Abbot of Sainte-Geneviève for his colleague, the Abbot of Saint-Victor. Stephen took up the defence of the Abbot, asserting that the latter had always been very obedient to the pope, and that he still was, being 'prepared to do whatever the pope asked' (here he quotes Luke 22. 33). In this case, Stephen's figurative language clearly referred to the Abbot of Saint-Victor, not to himself.

[26] See for example DS 62, to Pope Alexander III: 'Ad unius jussionis vocem vestrae, pater, obtemperans'; DS 88, to John Bishop of Poitiers: 'sicut mihi mandavistis, paratus sum'; DS 93, to Absalon Archbishop of Lund: 'secundum mandatum vestrum'; DS 106, to Henry Bishop of Senlis: 'paratus sum [...] apparere vobis et parere'; DS 173, to Cardinal Soffredo: 'paratus ad obsequium vestrum.'

[27] See Ysebaert, 'Ami, client', pp. 451–54.

[28] DS 46: 'fidelis ac devotus famulus vester'; DS 142: 'famuli vestri'; DS 215: 'mihi famulo vestro.'

case as the Archbishop's 'friend' who had entered into his *consilia*.[29] On the other hand, it seems that more than once, William of Champagne helped or protected him in various matters,[30] and more important, that he was responsible for Stephen's election as Bishop of Tournai. After the death of his predecessor in Tournai, Evrard d'Avesnes († 28 September 1190), it appears that Peter, the well-known Chanter of the Cathedral of Notre-Dame in Paris, not Stephen, was elected by the canons of Tournai. In a letter addressed to William of Champagne, who at that time was acting as a regent of the Capetian kingdom, it was Stephen of Orléans who asked the former to confirm this particular choice. However, for reasons which remain unknown, the election was not approved, and Stephen, certainly by February 1192, became the new bishop. Most historians suggest that his particular election more then probably had a political character — the Archbishop positioning one of his confidants in a politically important see — and they are right,[31] though no clear evidence has previously been given.[32] But the Archbishop's intervention *in itself* seems to confirm him as a *patron*, and Stephen of Orléans as his *client*.

This particular election can only be understood when placed in the larger context of political conflicts between the Capetian king Philip II Augustus and the counts of Flanders; therefore a short review of the years before 1190/91 is necessary.[33]

[29] DS 120: 'usque in secreta consiliorum vestrorum suscepistis me.'

[30] DS 55, 155.

[31] See below.

[32] Several other reasons which are rejected now, have been given to explain the refusal of Archbishop William: there could have been some irregularity in the election, canonical rules could have been neglected, the Archbishop's advice was not asked and Peter the Chanter himself could have declined the honour. For an overview, see John W. Baldwin, *Masters, Princes and Merchants: The Social Views of Peter the Chanter & his Circle*, 2 vols (Princeton: Princeton University Press, 1970), I, 10; Warichez, *Étienne de Tournai*, pp. 256–58, and Desilve, *Lettres*, p. 227, n. 1.

[33] There is no extended English summary on the political history of medieval Flanders during the last decades of the twelfth century (David Nicholas, *Medieval Flanders* (London: Longman, 1992), covers the whole medieval period and gives only limited information for each particular century), but the general data which follow can be found in Baldwin, *Government of Philip Augustus* or (much more detailed) in Alexander Cartellieri, *Philipp II. August, König von Frankreich*, 4 vols (Leipzig: Dyksche/Librairie H. Le Soudier, 1899–1922), especially vols I, II, and III. With regard to the present topic, see also John W. Baldwin, 'La décennie décisive: Les années 1190–1203 dans le règne de Philippe Auguste', *Revue Historique*, 261 (1981), 311–37, and T. De Hemptinne, 'Aspects de la relation de Philippe Auguste avec la Flandre au temps de Philippe

Since 1128, the house of Alsace had governed the County of Flanders, respectively in the persons of Count Thierry († 1168) and his son Philip († 1191, see below). It was a period of particular interest in the evolution of Flanders, which had experienced towards the end of the 1160s an unprecedented territorial growth. The Flemish count ruled a territory which reached, in the south, almost to the banks of the Seine, including the counties of Artois, Valois, Vermandois, and Amiens; in power and authority, he was equal to the great princes of his time, the Capetian king Louis VII, the Angevin king Henry II, and the emperor Frederick I Barbarossa. This situation changed from the 1170s on. It then became clear to Count Philip that he would leave the county without direct heir. The Flemish heritage would pass into the hands of the house of Hainaut through his sister Margaret, wife to Count Baldwin V of Hainaut, while Vermandois would again fall into French hands on the death of his wife Elisabeth, the official heiress of this county, since the inheritance would pass to Elisabeth's sister Eleonore, whose second husband was Matthew of Beaumont, grand chamberlain of the Capetian kingdom. This situation caused Count Philip to change his political interests. He began to show less concern for the welfare of his territories than for his own personal glory and grandeur, and he particularly directed his attention to the Capetian kingdom — perhaps aiming at nothing less than control over this kingdom.[34] He succeeded in becoming close to the ageing Capetian king Louis VII, and in 1179 was appointed as mentor to the young Philip II Augustus, soon to become the new king. By marrying his niece Isabelle of Hainaut, the daughter of Count Baldwin V of Hainaut, to Philip II Augustus in 1180, and by endowing her richly with territories from the south of Flanders, he tried to strengthen the bonds between himself and the young Philip. But his plans went awry and the two entered into violent conflict, with the result that by 1186 Count Philip had lost Amiens, Valois, and Vermandois. Indeed, by his death the whole southern part of

d'Alsace', in Bautier, *La France de Philippe Auguste* (see n. 6, above), pp. 255–62, or, for a dated though still useful biography of Philip of Alsace see Joseph Johnen, 'Philipp von Elsass, Graf von Flandern, 1157 (1163)–1191', *Bulletin de la Commission royale d'histoire*, 79 (1910), 341–469 (I do not mention the many Dutch articles which are of particular interest; summaries can be found in J. Dhondt, 'Vlaanderen onder het huis van de Elzas, 1128–1191', in *Algemene Geschiedenis der Nederlanden*, ed. by Jan A. Van Houtte, J. F. Niermeyer, J. Presser, J. Romein, and H. Van Werveke, 15 vols (Utrecht: De Haan/Standaard, 1950), II, Chapters 5 and 9, and Thérèse de Hemptinne, 'Vlaanderen en Henegouwen onder de erfgenamen van de Boudewijns 1070–1244', in *Algemene Geschiedenis der Nederlanden*, 2 vols (Haarlem: Fibula-Van Dishoeck, 1982), II, 372–98.

[34] See Dhondt, 'Vlaanderen onder het huis van de Elzas', p. 130.

Flanders would pass to the Capetian Crown, through the marriage of 1180. The Flemish count reconciled himself to this situation, and from this period on he even became a loyal vassal of the King. So when Philip II Augustus came to Tournai in 1187 and established his authority in this city, which lay on the border between Flanders and Hainaut, there was no longer any reaction from the count.

Both princes agreed to take part in the third crusade. While Count Philip left Flanders in September 1190, Philip II Augustus had already departed from Paris in June 1190, and it was on this occasion that he appointed as regents for his kingdom his mother, Adèle of Champagne, and his uncle, the Archbishop of Reims.[35] The crusade ended dramatically for the Flemish count, when he died during the siege of Acre in June 1191. The news of his death spread rapidly and Archbishop William of Champagne, the Capetian regent, sent troops to Flanders. Baldwin V of Hainaut, however, acted more quickly and occupied several Flemish cities thus restricting William of Champagne to the occupation of the cities of Aire and Saint-Omer. Meanwhile Countess Matilda, second wife of the deceased Count Philip, also contested the succession of Baldwin V and enlisted the Archbishop's help. At the instigation of William of Champagne, a treaty was agreed at Arras in October 1191 by which Baldwin V became Count Baldwin VIII of Flanders. The attitude of Philip II Augustus toward the new Flemish count on his return from the Holy Land in December 1191 gave rise to new problems, and it was not until February 1192 that a new agreement was reached, again through the mediation of William of Champagne and other clerics. Yet it is clear that during the spring of 1192 Philip II Augustus continued his attempts to strengthen his authority in Vermandois, Artois, and the region of Cambrai.[36]

Stephen's election as Bishop of Tournai took place while both the King and the Flemish count were absent on crusade and during the regency of Archbishop William of Champagne and his sister, the queen mother, Adèle. As was laid down in Philip II Augustus's 'political testament' in 1190 (probably written in June), during his absence, the two regents were responsible for the appointment of new abbots and bishops in royal abbeys and sees. Their agreement for elections had to be sought, and they had in reality the option not to grant the *regalia* until a

[35] *Recueil des Actes de Philippe Auguste, Roi de France*, ed. by Henri-François Delaborde and others, 6 vols (Paris: Imprimerie nationale, 1906–66), I, no. 345.

[36] For the events in 1191/92, see Cartellieri, *Philip II. August*, III, 9–11, and especially Ludwig König, 'Die Politik des Grafen Balduin V von Hennegau', *Bulletin de la Commission royale d'histoire*, 74 (1905), 355–58; for Baldwin V/VIII see also Jacques Falmagne, *Baudouin V, Comte de Hainaut 1150–1195* (Montréal: Presses de l'Université de Montréal, 1966).

candidate who suited the interests of the Capetian kingdom was chosen and consecrated.[37]

When Evrard, Stephen's predecessor, died on 28 September 1190, the election of a new bishop in Tournai had to be approved by William and Adèle of Champagne, both empowered to safeguard royal interests. Furthermore, William exercised ecclesiastical jurisdiction over the see of Tournai as metropolitan of Reims. It is not known when exactly Peter the Chanter was chosen, and why his election was rejected, but in any case, Stephen seem to have been elected by February 1192.[38] If his letters are to be believed this was not according to his own demand or will,[39] and his election even led to troubled relations with the Pope, Celestine III,[40] as well as with the citizens of Tournai.[41] In a letter addressed to the canons of the city William of Champagne afterwards argued that he himself had collaborated in Stephen's promotion.[42]

It is clear that William wanted a suitable candidate for the see of Tournai, which was of exceeding importance for the Capetian king, as the city was situated on the border between Flanders and Hainaut, and as the diocese of Tournai extended over a major part of the County of Flanders. Besides that, the Bishop of

[37] *Recueil des Actes de Philippe Auguste*, I, no. 345, p. 418: 'Si forte contigerit sedem episcopalem vel aliquam abbatiam regalem vacare, volumus ut canonici ecclesie vel monachi monasterii vacantis veniant ante reginam et archiepiscopum, sicut ante nos venirent, et liberalem electionem ab eis petant; et nos volumus quod sine contradictione eis concedant. Nos vero tam canonicos quam monachos monemus, ut talem pastorem eligant qui Deo placeat et utilis sit regno. Regina autem et archiepiscopus tamdiu regalia in manu sua teneant, donec electus consecratus sit vel benedictus, et tunc regalia sine contradictione ei reddantur.'

[38] Dating according to C. Vleeschouwers, 'Chronologische problemen aangaande de bisschoppen van Doornik (1146–1218): Episcopaatsjaren en jaarstijl', *Handelingen van het Genootschap voor Geschiedenis gesticht onder de benaming Société d'Emulation te Brugge*, 117 (1980), 41–50.

[39] DS 201 and 232.

[40] DS 232. Stephen even had to stay in a priory belonging to Sainte-Geneviève before his election was confirmed by the Pope; see DS 232, 243, 244.

[41] See *Recueil des Actes de Philippe Auguste*, I, no. 441, in which King Philip II Augustus ordered the citizens of Tournai in February 1193 to swear allegiance to their new bishop: 'Mandamus vobis et districte precipimus quatinus, omni occasione postposita, episcopo Tornacensi, amico et fideli nostro, securitatem et fidelitatem juretis.'

[42] Tournai, Archives du Chapitre, *Cartularium* C, fol. 75^{r}, not edited: 'de cuius promotione quia auctore deo ministri nos extitimus in domino gloriamur.'

Tournai himself had secular power over at least the left bank of the city.[43] So, having a partisan in Tournai meant that, if necessary, action against Flanders and Hainaut could be organized from there, and that ecclesiastical measures could be taken at least against the inhabitants of Flanders. Given the fact that the see became vacant during the Third Crusade, and taking into account the events which happened after the death of Count Philip of Flanders in June 1191, it is clear that the regents, and particularly William of Champagne, the King's right-hand man, took the opportunity to appoint a loyal servant who would protect the kingdom's interests while the see remained vacant, especially once the counties of Flanders and Hainaut seemed to have become united. Therefore, positioning Stephen, one of William of Champagne's closest confidants in Tournai, was a step which clearly had a political character.[44]

In the struggle for the regions to the north of the Capetian kingdom and to the south of Flanders, it was not only the city and see of Tournai which were important. In fact, the lands of the Count of Flanders were within the jurisdictions of five bishoprics: Arras, Cambrai, Tournai, Thérouanne, and Utrecht, but after 1191, none of these cities was still subject to the count. Utrecht was of course too distant to feel the influence of the Capetian king, but he did extend his power over the other four.[45] Moreover, all four of them were subject to the Archbishop of Reims — which implied that the latter, through his suffragans, could exercise ecclesiastical control over the Flemings. If the Capetian king succeeded in having partisans appointed in the sees of Reims, Arras, Cambrai, Thérouanne, and Tournai, it meant that his feudal authority over Flanders would be strengthened by the support of the servants of the church.[46]

With William of Champagne, the long-standing alliance between Reims and the Capetian Crown was strengthened, and this resulted in the election of a

[43] See especially Paul Rolland, 'Le Tournaisis, châtellenie flamande', *Revue du Nord*, 11–12 (1925–26), 113–47, and Paul Rolland, *Les origines de la commune de Tournai: Histoire interne de la seigneurie épiscopale tournaisienne* (Brussels: Lamertin, 1931).

[44] A precise chronology of the events with regard to the election of Peter the Chanter and the refusal of William of Champagne cannot be given, owing to the lack of sources, which means that it is impossible to know if Stephen of Orléans had already been named as a candidate before the death of the Count of Flanders (June 1191).

[45] See François L. Ganshof, 'La Flandre', in Ferdinand Lot and Robert Fawtier, *Histoire des institutions françaises au moyen âge*, 2 vols (Paris: P.U.F., 1957), I, 372.

[46] See the observations made in John C. Moore, 'Count Baldwin IX of Flanders, Philip Augustus, and the Papal Power', *Speculum*, 37 (1962), 79–89 (p. 80).

bishop of Tournai who would act in favour of King Philip II Augustus (see below). But the powerful archbishop did not only succeed in influencing this episcopal nomination as will subsequently become clear.

It is not known for certain if Arras during the twelfth century can be considered as a true royal bishopric, but it is known that the counts of Flanders and the Capetian kings tried to influence the nomination of the bishops.[47] For the elections of 1171 and 1174, candidates who were well disposed toward Flanders were nominated — Arras still belonged to the Flemish territories at that time — but this changed in 1183. In that year, while the conflict between the Capetian house and the Flemish count was at its height and was also affecting this region, a certain Peter, formerly Abbot of Pontigny and Cîteaux, was chosen by the chapter of Arras; he was consecrated in 1184 and died on 1 November 1203. There is not much information regarding him, but it seems that he obtained a certain renown during his episcopate.[48] We also find his name among the addressees of Stephen of Orléans's letters, since he was involved with him in several cases,[49] and more importantly, according to the *De Gestis et Successione Regum Francorum* of André de Marchiennes, it appears that he had been elected by the mediation of William of Champagne, Archbishop of Reims.[50]

In the bishopric of Thérouanne, a regalian see, Flemish influence with regard to the elections of the bishops, which had lasted for almost three centuries, stopped around the same time. Here, in 1191 Lambert of Bruges was chosen as

[47] According to Bernard Delmaire, *Le diocèse d'Arras de 1093 au milieu du XIV^e siècle: Recherches sur la vie religieuse dans le nord de la France au moyen âge*, 2 vols, Mémoires de la Commission départementale d'histoire et d'archéologie du Pas-de-Calais, 31 (Arras: Commission départementale d'histoire et d'archéologie du Pas-de-Calais, 1994), I, 163–64; Baldwin does consider Arras as a regalian see without any hesitations; see Appendices C and D in Baldwin, *Government of Philip Augustus*, pp. 435–41. See also M. Pacaut, *Louis VII et les Élections Épiscopales dans le Royaume de France* (Paris: Vrin, 1957), pp. 63–82.

[48] On Peter Bishop of Arras, see R. Berger, 'Notes sur les Évêques d'Arras antérieurs à 1300', *Bulletin de la commission départementale des monuments historiques du Pas-de-Calais*, 9 (1971–75), 170, J. Lestoquoy, 'Les Évêques d'Arras. Leurs portraits, leurs armoiries, leurs sceaux', *Mémoires de la commission départementale des monuments historiques du Pas-de-Calais*, 4 (1942), p. 13, *Les Chartes des évêques d'Arras (1093–1203)*, ed. by Benoît-Michel Tock (Paris: CTHS, 1991), p. xxxix.

[49] DS 186, 221, 222, 254, 260, 265, 266, 280.

[50] *Recueil des historiens des Gaules et de la France*, ed. by M. Léopold Delisle and others, 24 vols (Paris: Palmé, 1869–1904), XVIII, 556: 'Eligitur post eum Petrus Cisterciensis abbas, mediante Willelmo Remorum archiepiscopo.'

bishop[51] — he had been the chancellor of William of Champagne in Reims from at least 1182 onward[52] and was probably one of the best friends of Stephen of Orléans, whom he had already known for a long time.[53] There is no clear evidence that Lambert was elected by the intervention of William of Champagne, but given the fact that he belonged to the latter's inner circle and that his election took place during William's regency, it is more than probable that his influence would have been a factor. In any case, with Lambert, who died in 1207, William was ensured a loyal collaborator in the bishopric of Thérouanne as well.[54]

In Cambrai, the situation was different, as it belonged to the Holy Roman Empire. Here, the influence of the Flemish counts, as far as episcopal elections were concerned, had to compete with that of the emperor, the pope, and the Count of Hainaut, but it seems that during the reigns of both Thierry and Philip of Alsace, the latter's pressure was, in general, quite effective — thanks to the support of the emperor. But toward the end of the twelfth century the situation changed with the death of Roger, Bishop of Cambrai (1179–91).[55] His three predecessors had all been loyal servants of the Flemish count while he was a partisan of Count Baldwin V of Hainault. Jean d'Antoing was chosen as Roger's successor while the Capetian king (or his regent, William of Champagne), Baldwin V of Hainaut, and Matilda of Flanders were in armed conflict. Jean was the former archdeacon of the chapter of Cambrai and seems to have been the candidate of the Emperor. He was confirmed in September 1192 in Reims by William of Champagne, but it is not clear if the latter had any influence on his

[51] Hans Van Werveke, *Het bisdom Terwaan van den oorsprong tot het begin der veertiende eeuw* (Ghent: Van Rysselberghe & Rombaut, 1924), p. 50.

[52] E. Reusens, 'Les chancelleries inférieures en Belgique depuis leur origine jusqu'au commencement du XIII[e] siècle', *Analectes pour Servir à l'Histoire Ecclésiastique de la Belgique*, ser. 2, 10 (1895), 203–04.

[53] See letters DS 66, 230, 261 and possibly DS 294, 298 and a letter of Stephen published in L. Auvray, 'Un poème rhythmique et une lettre d'Étienne de Tournai', *Mélanges Paul Fabre: Études d'histoire du moyen âge* (Paris: Alphonse Picard et fils, 1902), pp. 279–91.

[54] Lambert, Bishop of Thérouanne, is an individual who remains largely unknown; see, for some general information (in addition to the studies mentioned already), *Gallia Christiana*, 16 vols (Paris: Palmé, 1715–1865), X, cols 1551–52.

[55] Marinette Bruwier, 'Le Hainaut, le Cambrésis et l'empire au XII[e] siècle', *Jaarboek van de Federatie van de Kringen voor Geschiedenis en Oudheidkunde van België*, 36 (1955), 216–17, 224.

election. Jean died in 1197; within three years, no fewer than four different bishops succeeded, with all parties involved attempting to influence the elections.[56]

Within a period of at most two years — a period of troubles and conflicts — the sees of Cambrai, Thérouanne, and Tournai had changed hands; in two of these, Tournai and Thérouanne, a confidant or servant of William of Champagne had been elected, probably through his mediation. According to the sources, the newly elected bishop of Cambrai was well received in Reims, so it was likely that he too was acceptable to the Archbishop and the Capetian kingdom while in Arras, the fourth see which was extremely important for the Flemish region, a bishop whom the Archbishop favoured had been appointed as early as 1183.

On the basis of the letters of Stephen of Orléans and several surviving charters, examples can be given in which these bishops, together with the Archbishop, appear to be acting to the advantage of the Capetian king. William of Champagne played an important part in the conflicts of 1191 to 1192, and when in February 1192 an agreement between the King and Baldwin V/VIII was reached, this happened as a result of his mediation and that of Peter, Bishop of Arras.[57] In 1194–95, a problem arose between Jean, Bishop of Cambrai and the son of Baldwin V/VIII, Baldwin VI/IX.[58] What exactly happened remains unknown, but the Bishop of Cambrai urged Stephen, Bishop of Tournai, to excommunicate both Baldwins and to place their lands under interdict. Stephen hesitated, as he knew all too well the negative effect this kind of measure could have,[59] but the Bishop of Cambrai insisted, and he seems to have had the support

[56] The elections of the bishops of Cambrai were very troubled and are not well known for the period 1191–1200; see König, 'Die Politik des Grafen Balduin V', pp. 343–44, and 359, and further, *Gallia Christiana*, III, cols 32–34, and the above-mentioned study of M. Bruwier.

[57] In *Sigeberti continuatio Aquicinctina*, ed. by L. C. Bethmann, Monumenta Germaniae Historica, Scriptores, 6 (Hanover: Hahn, 1844), p. 428.

[58] When Margaret, wife of Baldwin V/VIII died on 16 November 1994, her son Baldwin became Count Baldwin IX of Flanders, his father having again only Hainaut under his submission. When Baldwin V died on 17 December 1195, his son then became Count Baldwin VI/IX of Hainaut and Flanders; his other son succeeded him as Philip I of Namur.

[59] In connection with this see, for example, Stephen in DS 255, addressed to William of Champagne: 'Insultat nobis protervitas laicorum, et, occasione sumpta de silentio nostro, pravis comminationibus armati, in publicis et privatis colloquiis conflant eiectionem sacerdotum, direptionem rerum, contumelias personarum. Dicunt sese solvere quod non rapuerunt, pro peccato alterius iniuste puniri, sacramentis carere, quibus ut pote catholici parati sunt parere. In proximo est tribulatio nostra, nisi quantocius remedium apponat clemens paternitas vestra, certissimi sumus de consuetudine gentis et severitate, quia minas Flandrensium sequentur ictus

of William of Champagne, so if Stephen's letters are to be believed — and they are in fact the only source for this conflict — the latter did what they asked him to.[60]

In 1196, in the period from March to June, Stephen and other clerics assisted in several affairs which concerned King Philip II Augustus. When in June 1196 Count Baldwin VI/IX paid homage to Philip II Augustus near Compiègne,[61] four clerics guaranteed that they would make sure that the Count observed his engagements. They stated that if the Count did not keep his promises, they would use the scourge of the Church to compel him.[62] The four clerics were William of Champagne; Peter, Bishop of Arras; Lambert, Bishop of Thérouanne; and Stephen, Bishop of Tournai. On the same occasion, an undertaking was entered into by Renaud, Count of Boulogne, who had recently been in violent conflict with King Philip II Augustus. In this case, it was William of Champagne together with Lambert, Bishop of Thérouanne, who offered guarantees in the same way as with regard to the Flemish count.[63]

These guarantees were not idle, as would appear one year later. In July 1197 serious conflicts arose between Count Baldwin VI/IX and Philip II Augustus which would last until January 1200. Tournai was besieged and fell; Arras managed to resist the count. The latter was excommunicated and his lands placed under interdict; according to the letters of Stephen of Orléans, he himself, William of Champagne, Peter, Bishop of Arras, and Cardinal Melior, the papal

percussionum. Inducere volunt, sacerdotibus nostris eiectis filios alienos claudicantes et semitis ortodoxis, sacerdotes Baal, de tentoriis barbarie in nostram mansuetudinem loco, non moribus transferre. Occurrite, Pater, tante calamitati, tantis vos obicite periculis, et cauterium sententie sue, quod non solum comburit, sed consumit, oleo vestre pietatis extinguite, ne gaudeat super nos inimicus, ne per ecclesias nostras transeat incircumcisus et immundus.'

[60] DS 219, 255, 256, and 257.

[61] *De oorkonden der Graven van Vlaanderen (1191–aanvang 1206)*, ed. by Walter Prevenier, 3 vols (Brussels: Koninklijke Academie van België, 1964–71), II, pp. liv–lv and no. 52 (charter).

[62] *Layettes du Trésor des chartes*, ed. by Alexandre Teulet and others, 5 vols (Paris: Plon, 1863–1909), I, 189, no. 450: 'Concessit etiam idem comes sub eodem iuramento et nos rogavit ut, quotiens cunque vel quomodocunque ab his resiliret, totiens personam ipsius excomunicaremus et totam terram suam interdiceremus, nonobstante contradictione sive appellatione que ab eo vel per eum fieret. Nos vero, ad preces predicti comes, id domini regi nos facturos firmiter concessimus, et litteras annotatas sigillis nostris roboravimus.'

[63] Leópold Delisle, *Catalogue des Actes de Philippe-Auguste* (Paris: Durand, 1856), nos 499 and 500.

legate who was well-acquainted with William of Champagne,[64] were responsible for this.[65] Again, Stephen seems to have had his reservations, as he knew that this kind of ecclesiastical measure was not well received, especially in his diocese,[66] but he obeyed the Archbishop and the Cardinal. Baldwin VI/IX appealed against the excommunication and the interdict, but only in April 1199 did Pope Innocent III order William of Champagne to revoke both sanctions. Innocent III also mentioned that he had written similarly to the bishops of Amiens and Tournai, and to the Abbot of Anchin.[67] Although, owing to the lack of sources, we cannot know what the role of the bishops of Thérouanne and Cambrai was in this case, it is at least clear that ecclesiastical measures, taken by the Archbishop of Reims and the bishops of Tournai and Arras, were used in the political conflict against the Flemish count.

Considering these events, it is clear that William of Champagne was a powerful archbishop who acted in the interests of the Capetian king Philip II Augustus, and who used his 'personal' contacts in the King's struggle against the Flemish counts. He actively intervened or more informally influenced the elections of the sees within his ecclesiastical province, thereby trying to have loyal confidants nominated. As such, he was reassured of their assistance, when he needed it. As the examples cited show, in several cases one or more bishops effectively supported the Capetian side, whereas their predecessors clearly favoured the Flemish interests, even if they were at that time subject to the Archbishop of Reims as well.

Is it justifiable to identify here an informal network of individuals, headed by William of Champagne, which can perhaps be characterized as a 'patron-client-network'? That is to say, a network in which reciprocal services and duties were important, and in which 'clients' worked for their 'patron' and were rewarded with protection and promotion; a network which was not institutionalized, which cannot be seen as being well organized, set up with certain objectives, but

[64] Williams, 'William of the White Hands', p. 368; for Cardinal Melior see also Werner Maleczek, *Papst und Kardinalskolleg von 1191 bis 1216* (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 1984), pp. 83–85.

[65] DS 14, 242, 265, 266 and DM 14.

[66] See above.

[67] *Recueil des Historiens des Gaules et de la France*, XIX, 374–75. It is clear that Count Baldwin VI/IX tried to mislead Pope Innocent III by referring to different so-called promises made on different occasions; for an account of the whole story see especially Moore, 'Count Baldwin IX of Flanders', pp. 82–89, or *De oorkonden der Graven van Vlaanderen*, II, pp. liv–lv.

which was formed over the years by and around the Archbishop, and which proved useful for the Capetian kingdom; a network which did not operate 'en bloc' — for example, not all of the bishops were involved in every case, but only when necessary — and which was fragile and differentiated, but within which each individual most importantly had a strong relationship with the Archbishop of Reims. William of Champagne was clearly the 'patron' of this network, and he had, during a certain period, the power and the authority to 'place' his confidants or 'clients' in strategic positions.[68] But already by 1200 this network had 'collapsed': when the interdict was laid on Capetian lands by the papal legate, for reasons connected with the problems between King Philip II Augustus and his rejected wife, Queen Ingeborg,[69] not all the suffragans appear to have followed William's wish (and probably the King's order) not to obey this ecclesiastical sanction.[70] And William of Champagne himself seems to have lost his intimate place in the King's entourage, and thus a part of his power, as it is clear that during his last years he disappeared completely from the political scene.

The letters of Stephen of Orléans provide indications of the existence of several 'networks', 'factions', or 'groupings' of which he was part. But these indications are limited, and by focusing attention mainly (or exclusively) on the letter collections of Stephen, the impression is given that he himself was at the centre of these 'networks', as only his letters addressed to others survive, while almost no letters addressed to him or written between the other 'members' are extant. Consideration of the context and of other sources helps to improve this image — in this case it was shown that a 'network' around Archbishop William

[68] According to Williams, 'William of the White Hands', p. 387, William of Champagne was a 'man of letters', a 'patron' who in his curia surrounded himself with poets, theologians, and canonists. In this vision, on the one hand, he exaggerates the liberal and cultural interests of the Archbishop, as well as the number of people 'belonging' to this curia, and on the other hand he pays almost no attention to the importance of the political alliances of, and the strategic nominations made by, William. But he did draw our attention to the existence of a 'network', in which the Archbishop played a central role.

[69] Many articles and books have been published with regard to this marriage (and divorce), but the best major study is still Robert Davidsohn, *Philipp II. August von Frankreich und Ingeborg* (Stuttgart: Kröner, 1888).

[70] It seems that the Bishop of Arras (and some others) did obey the papal order to place the possessions of the Capetian king under interdict; the Archbishop of Reims, together with the bishops of Thérouanne and Cambrai (and many others) did not. There is no clear information with regard to the attitude of the Bishop of Tournai in this case; see Davidsohn, *Philipp II. August*, pp. 97–98.

of Champagne could be detected, a network of which Stephen of Orléans for most of his life was part.

Much research remains to be done, and not only with regard to this 'network'. William's career needs to be studied thoroughly and with regard to all the affairs in which he was involved, including all those with whom he was working and their mutual relations. More investigation into politico-ecclesiastical networks in general, on their functioning and their political impact, and on the hierarchical relations within them, is also essential. In this context, it is necessary to consider what personal interests played an important part, why certain people really wanted (or did not want) to be rallied or drawn into certain networks, what individual obligations and services can be detected, and what interactions can be identified between individuals and networks, as well as between networks and the larger social context. The exploitation of letters and especially letter collections, always taking into consideration the possible limitations of these sources, together with the use of narrative and diplomatic sources, is a necessary approach for this kind of research, which focuses on the micro-level, but which might lead to major conclusions about power-mechanisms in medieval society in general.

'I Know What You Did Last Summer': Knowledge as Power among Parochial Clergy in Later Medieval England

Jeremy Goldberg

The authority wielded by bishops as diocesan administrators, as landowners or, as was frequently the case since high ecclesiastical office was their reward, as ministers of the Crown is both obvious and well documented. The same is also true on a more modest level of clergy of slightly lesser rank. The apparent abuse of power by one John Evot, Archdeacon of Buckingham, in the later years of the fourteenth century, for example, resulted in a raft of litigation and numerous allegations of extortion.[1] Evot is perhaps an extreme case and it is not hard to find examples of senior clergy who, like Nicholas Bubwith, Bishop of Bath and Wells *c.* 1407–24), were conscientious and no doubt honest administrators.[2] It is not, however, with the greater clergy and these more conspicuous manifestations of power that this paper is concerned. Rather our focus is on the lesser clergy, beneficed or otherwise, whose influence was rooted within the parochial communities in which they resided. The thesis explored here is that for these lesser men power should be thought of operating in quite subtle ways as a consequence of their positions within the community rather than simply as a function of ecclesiastical office.

[1] *Inquests and Indictments from Late Fourteenth Century Buckinghamshire*, ed. by Leslie Boatwright, *Buckingham Record Society*, 29 (1994), lvi–lxi.

[2] Bubwith is described by his modern biographer as 'a conscientious diocesan, predictably of a brisk, administrative turn of mind': R. G. Davies (revised), 'Bubwith, Nicholas (*c.*1355–1424)', *Oxford Dictionary of National Biography* (Oxford, 2004) <http://www.oxforddnb.com/view/article/37238>, accessed 15 September 2005.

In exploring the relationship between clergy and their parishioners I have turned away from the more familiar sources of wills, churchwardens' accounts, bishops' registers, and records of parochial visitation and turned instead to records of litigation within the church courts. These courts had jurisdiction over a range matters from disputes over the payment of tithes or parochial rights to marriage, the probate of wills, defamation, and sexual morality.[3] Whereas this last involved the courts acting *ex officio* in a policing capacity, the courts otherwise served as a forum for the resolution of disputes between conflicting parties. To make their case, each party produced a number of witnesses who were individually questioned on points alleged by the party for whom they appeared; that is, the process is substantially removed from the much more intimidating process of inquisition used to fight heresy. These verbal responses to set questions were then translated into Latin and set down in writing as depositions. It was these depositions that were finally scrutinized by the court's presiding officer, usually known as the Official, in order to make his judgement.[4] Depositions thus represent a crucial textual component in the process of the courts, but also a rare, if problematic, insight into the words and perspectives of a range of ordinary people, male and female, lay and cleric.

For this present essay I have examined cases and specifically depositions surviving from the court of York from the early fourteenth to the early sixteenth centuries. This represents far and away the richest extant archive of such material for the later medieval era. As currently archived each case is represented by a separate file. Each file contains a miscellany of materials that may include some or all of libels, list of articles, judgements, other legal memoranda, and depositions.[5] These files are known locally as cause papers, that is, the documentation relating to a particular case or cause. The sample is confined to those files that contain actual depositions. Its geographic focus is the diocese of York, particularly Yorkshire, and to a lesser extent the province, which essentially encompassed England north of the Trent, since cases were heard in York that had been

[3] The most recent and authoritative account of medieval canon law and its administration by the church courts in England is *The Oxford History of the Laws of England*, ed. by John Baker (Oxford: Oxford University Press, 2003–), vol. I: R. H. Helmholz, *The Canon Law and Ecclesiastical Jurisdiction from 597 to the 1640s* (Oxford: Oxford University Press, 2004).

[4] For a discussion of the court personal see R. H. Helmholz, *Marriage Litigation in Medieval England* (Cambridge: Cambridge University Press, 1974), pp. 141–54.

[5] For an explanation of the range of documentation to be found see Helmholz, *Marriage Litigation*, pp. 13–22.

appealed from other provincial courts. Because of the size of this archive, I have largely confined my analysis to disputed marriage cases, though my sample of some one hundred and eighty cases also includes a few defamation and *lesio fidei* (breach of promise) actions. Marriage cases are a useful starting point since women deponents are found alongside men and young adults alongside persons of more advanced years in a way that is simply not true, for example, of tithe litigation where the testimony of old men was preferred. Tithe and other parochial litigation would, however, be a logical next place to look since such litigation would provide a rather different window onto the interaction of clergy with their parishioners.

Although much has been written of the propensity for nonresidency among some of the holders of parochial livings, the cause paper evidence immediately alerts us to the very real way in which most parochial clergy were members of their communities.[6] In rural parishes in particular, parochial clergy often seem to have had long ties with the locality both in terms of birth and residence. In a case for which we have extraordinarily full documentary evidence concerning parochial rights at Sutton on Hull in Holderness, several local clergy gave testimony.[7] Of these, John Waghen, Vicar of Easington, said that he had been born in Wawne and had lived in Holderness his entire life other than when he went to study. John Robynson, Vicar of Swine, likewise deposed that he had been born in Keyingham and, save for two years in the diocese of Lincoln, had also always lived in Holderness. Much the same was true of John Gilbert, a chaplain of Skirlaugh, who had been born near Hedon. Richard Fenton, Vicar of Sculcoates, may not have been born locally, but still claimed to have known the locality for some thirty-seven years. These men were chosen to give testimony precisely because they had good local knowledge, but they may still not be atypical. More anecdotal evidence from other cases tends to reinforce this view.

A number of rural clergy, who appear as deponents in such cases, had close kin within the community or locality in which they served. Thus in a matrimonial cause of 1367 the chaplain Robert, son of Martin, deposed that he was a blood relative in the fourth degree of one Alice Reding, the plaintiff, but also noticed that another blood relative of his, but not of Alice, told him to expect to take

[6] See Peter Marshall, *The Catholic Priesthood and the English Reformation* (Oxford: Oxford University Press, 1994), pp. 177–79; Beat Kümin, 'The English Parish in a European Perspective', in *The Parish in English Life, 1400–1600*, ed. by Katherine L. French, Gary G. Gibbs, and Beat Kümin (Manchester: Manchester University Press, 1997), p. 19.

[7] York, York Minster Library (hereafter YML), M2(3)c.

Alice's marriage.[8] Roger Selowe, a priest in Skipsea parish who deposed in a marriage case of 1434, was a blood relative of two of the litigants, both of whom lived in the parish. He also employed one of them, Alice Willyamson, as his servant.[9] The Vicar of Sheriff Hutton, noted in a matrimonial cause dated 1465, was likewise a kinsman of the alleged groom and the master of the alleged bride, both of whom were his parishioners.[10] Two local clergy who testified in a matrimonial cause brought by Agnes Cosyn were related to her by blood. One, John Collom, the Vicar of Garton, was also evidently closely related to Thomas Collom, his parish clerk.[11] It may be that the court evidence accentuates such ties of kinship since clergy may have been chosen as witnesses in such cases precisely because they were kin, but such anecdotal evidence would nevertheless deserve fuller exploration. It should also be noted that I found no examples of clergy as kin within the sample of urban clerical deponents.

As two of the examples show, clergy could also be employers of servants within the community. This would serve to extend their involvement in the community. The Vicar of Sheriff Hutton actually fell out with his servant Agnes Swan over her involvement with William Wilson. Agnes reportedly told kinswoman Agnes Stirtill, 'My master and I can nought accord; tomorrow morning I take my clothes and go.'[12] In 1392 Henry Nundy, the Rector of Foston on the Wolds, was involved in litigation arising out of his looking after chattels, including two horses and some silverware, belonging to one Peter Wulff of Wakefield. Wulff presumably had local interests since one of the executors of his will was a Beverley draper.[13] Involvement in the lives of parishioners could, of course, go further. William, the Vicar of Scalby was presumably a friend of Geoffrey de Brunne. He witnessed Geoffrey's marriage in the parish church of Folkton, some five miles distant, was a guest at the marriage feast, and finally was present when Geoffrey brought his new wife to his home in Folkton. Some four years later, William, in his priestly capacity, blessed the nuptial bed for Geoffrey and his second wife, despite the fact that Geoffrey's first wife was still living.[14] The blessing of the

[8] York, Borthwick Institute for Archives (hereafter BI), CP.E.93.

[9] BI, CP.F.178.

[10] BI, CP.F.209.

[11] BI, CP.F.189.

[12] BI, CP.F.209.

[13] BI, CP.E.193.

[14] BI, CP.E.25 (1333).

nuptial bed is rare enough in English records, but it need hardly be said that, given the context, such an action designed, and purposely reported as such, to lend priestly sanction to the couple's cohabiting is remarkable.[15] In fact the validity of Geoffrey's first marriage had subsequently been undermined by evidence that his then wife was herself already married. The case came about when the second marriage was itself subsequently challenged!

There are several marriage cases which suggest that parochial clergy were involved in the making of marriages as much as family confidantes as clergy per se. Thomas Persebrig, the Dean of Harthill, participated in negotiations taking place in Ralph Fedyrston's house at Wilberfosse concerning Ralph's daughter Cecily and one Robert Thweng, a kinsman of the rural dean. No doubt this last explains Thomas's presence.[16] Such a consideration cannot, however, explain the presence of two chaplains in the house of John Fraunceys, a Newark cutler, to discuss his daughter's proposed marriage to one Andrew Kellum.[17] It is tempting to ask if similar negotiations had not preceded the exchange of vows between Beatrix Cuke and Richard Adamson in the street in front of Adamson's house in Langtoft which were witnessed, among others, by William Middelton, the perpetual vicar of the parish.[18]

If the sort of connections just described reflect the degree to which, to use the jargon of the reporting of recent armed conflicts, priests were embedded within their communities, we also notice a potentially more disruptive aspect of embedment. In 1439 one John, the Vicar of Doncaster, was undergoing purgation in respect of an allegation of adultery when one Sibyl, the wife of Henry Schalford, stood up and, swearing on the altar, declared that the Vicar had had sex with her. John immediately sued her in the church court for defamation.[19] A similar accusation of adultery in 1474 by Margaret Palmer, a Cottingham woman, drew a like response from William Huchonson, a chaplain there. Interestingly Margaret denied defaming her priest and in her defence alleged that a married couple who

[15] John Bossy, *Christianity in the West, 1400–1700* (Oxford: Oxford University Press, 1985), p. 22.

[16] BI, CP.F.119 (1436).

[17] BI, CP.F.140 (1423).

[18] BI, CP.F.247 (1469).

[19] BI, CP.F.124.

were two key witnesses in the case were in fact related by blood and marriage to Huchonson.[20]

As resident members of parochial communities, tied to those communities by reason variously of their ministry, as literate professionals, as neighbours, as employers, as kin, or otherwise, parish clergy had access both to a great deal of knowledge about their parishioners and their doings and to the training to use that knowledge. This is perhaps most immediately illustrated by the knowledge of family history and kinship ties revealed in deposition evidence. The Skipsea priest, Roger Selowe, noted earlier, stated that he was related by blood to Alice Willyamson in the fourth degree and to John Maynpurse in the fifth degree.[21] I know of no other example of a deponent who was able to recall a kin connection within the fifth degree of proximity, though there are plenty of examples of persons who are only able to acknowledge that a tie of kinship existed. The Vicar of Garton, testifying in a marriage case of 1453, was able to spell out name-by-name genealogical evidence to show that two women had a common ancestor and hence were related in the fourth degree of kinship. Hence, a man who had slept with one of the two women had thus become an affine of the other (and so was debarred from marrying her). The Vicar's testimony here must depend variously on his own blood relationship to one of the women, his considerable local knowledge, his training in respect of impediments to matrimony consequent upon forbidden degrees of kinship or affinity, and his awareness of sexual transgression within the community.[22] Much the same could be said of William de Sprotburgh's knowledge that a Doncaster couple were related within forbidden degrees based on his knowledge of the two families over three or four generations.[23]

Local knowledge must also have followed from a priest's responsibility to know who his parishioners were. Thus Robert Cloughton, chaplain of the parish church of 'lez Charnell' in Beverley for almost nine years, was able to depose that John Eshton had stayed at 'lez Belle' in the town until six years previous, that the Official of Beverley had failed to inform him that John had been excommunicated, but that he was unable to tell of Eshton's current

[20] BI, CP.F.256.

[21] BI, CP.F.178.

[22] BI, CP.F.189.

[23] BI, CP.E.69 (1351).

whereabouts.[24] In 1510 William Curteys, parish chaplain of St John, Ouse Bridge, York, told how one Joan Lee had been expelled from her father's house and was then living in the house of her alleged fiancé's brother within the parish.[25] When in 1422 Ralph Amcotes, parochial chaplain of Holy Trinity, King's Court in York, testified on behalf of his parishioner, Agnes Popilton, he was able to vouch for her good name and standing over the previous twelve years. On the other hand, he was also able to characterize the woman who had defamed her as she came from parish vespers, as sharp tongued and full of malice and hatred.[26]

The pastoral and sacerdotal responsibilities of parochial clergy allowed them unusual and privileged access to the lives of their parishioners. Baptisms, churchings, marriages and burials would all bring together networks of kin and friends and allow the priest to compile at least a mental register of family relationships. Thus Richard de Wynestede, chaplain, was able to testify not only to a marriage in a private chapel, but that the couple concerned had subsequently raised five children.[27] In a marriage case of 1508, the chaplain William Cokay was able to recall not only the banns and solemnisation of a marriage in St Mary, Bishophill Senior, York, eleven years earlier, but was also able to testify that he often saw the couple embrace and kiss.[28] The most obvious, and potentially most intimate, point of contact, however, was through the sacrament of penance since all adult parishioners were required according to Canon 21 of the Fourth Lateran Council to make annual confession.[29] In practice, knowledge gained from the confessional is not obviously reflected in the cause paper evidence. This is unsurprising since priests were forbidden to reveal what had been so told to them, and hence they were hardly likely to use the forum of the church court to betray their priestly code. Indeed Thomas Fouler deposed in a marriage case of 1366 that, having promised not to reveal his knowledge of a marriage contract, he confessed the same to a friar. The friar on hearing this told Thomas that he should immediately make his knowledge public, but that he himself would have to stay

[24] BI, CP.F.284 (1494).

[25] BI, CP.G.40.

[26] BI, CP.F.153. His deposition is translated in *Women in England c. 1275–1525: Documentary Sources*, ed. by P. J. P. Goldberg (Manchester: Manchester University Press, 1995), p. 230.

[27] BI, CP.E.79 (1358).

[28] BI, CP.G.32.

[29] *Decrees of the Ecumenical Councils*, ed. by Norman Tanner, 2 vols (Washington, DC: Georgetown University Press, 1990), I, 245.

silent under pain of excommunication.[30] Though we are as a consequence not given any insight into what priests learned from confessing their parishioners, we do get glimpses of the way that parishioners imparted information whilst seeking guidance from their priest. John Raper, the Vicar of Pickhill, testified to having been approached by a teenage girl unhappy at the prospect of an arranged marriage. At the time he instructed her to follow the guidance of her grandfather and her aunt, the very people who had arranged her marriage, since, as he candidly admitted, her grandfather paid his stipend, but he testified to this effect in court when the family subsequently wanted the marriage annulled.[31]

A 1421 case from York provides another example of a woman seeking clerical support in respect of marriage. Here a rector of St Helen on the Walls and the Rector of St Crux both testified to a contract of marriage between Katherine Carvour and Master Richard Burgh, who, as newly appointed official of the court of Durham, was clearly hoping to disentangle himself from an attachment that could frustrate his career. Both priests knew of love letters sent by Richard to Katherine and one deposed that they were lovers and that Katherine had conceived a child by Richard.[32] In a matrimonial cause from 1430 William Bawmburgh, vicar at the time of St Mary, Bishophill Junior in York, recalled how he had been approached by Joan Kyrkeby who was troubled by a report that the man she had already contracted in marriage was to marry another woman. He advised her to go immediately to the parish chaplain of St Denys, Walmgate, where the marriage was to be solemnized, and alert him to her alleged precontract.[33] A more remarkable case is that reported by Thomas Vawes, Rector of Breighton(?), in 1368. He told how Sir Ralph Paynell's daughter Katherine had been married to Nicholas, the son of Sir William de Cantelupe, but after a year living with him at Castle Gresley (Derbyshire) she returned to her parents at Caythorpe (Lincolnshire) and, in Thomas's presence, complained to her parents that she could no longer live with Nicholas as he was impotent by reason of lacking genitals. Thomas then took Katherine back to her husband saying that if

[30] BI, CP.E.92.

[31] BI, CP.F.308 (1499). The Vicar bears the same surname as some of the other deponents in this case and may even be distantly related to the girl.

[32] BI, CP.F.129.

[33] BI, CP.F.99.

after two years her husband was still unable to have intercourse with her an annulment could follow.[34]

The solemnization of marriage as a clerical activity is of course one that is disproportionately well represented in the sample, but it represents another source of knowledge. Indeed the appearance of clergy in a number of cases is evidently because, like mothers in relation to recalling childbirth or sex workers in relation to determining impotence, priests are seen as expert witnesses. Thus the Rector of Thornton in Craven and the vicar of neighbouring Gargrave both testified to witnessing the solemnization of marriage of one Lady Alice Hoghton in 'Gillkirk', the latter describing how she knelt before the high altar 'as is the custom'.[35] Roger de Nessewyk, a York chaplain, likewise recalled Cecily de Portyngton's marriage in the porch of St Michael, Spurriergate, the banns that preceded it and the nuptial mass of the Holy Trinity that followed.[36] These examples could be repeated several times over. Had baptisms, churchings, or burials been the subject of dispute and hence litigation, then no doubt priests would again have been called to give testimony.

Knowledge also came by reason of the clergy's identity as literates. Clergy represented the most conspicuously literate group in society, but their parochial responsibilities also gave them access to documentation that was not otherwise available to the people and, with this, the information contained within such documents. This may seem a comparatively insignificant observation if illustrated by the testimony of William Semanson, the chaplain of Sutton on Hull, that he knew the date of the consecration of the church there from an old calendar.[37] It becomes more significant in another early-fifteenth-century cause from the testimony of Robert Gaytenby about one Thomas Cottesworth, allegedly of the village of Well. He deposed that the chaplain of Burneston and another man had asked the Vicar of Well to search the tithe books for the previous sixteen years to the effect that they had concluded that no such man had been living there.[38] Further possibilities of documentary evidence are suggested by the accounts kept by the Vicar of Hornsea and presented as evidence in an action brought by St Mary's Abbey, York, who held the advowson. The accounts record all churchings,

[34] BI, CP.E.259.

[35] BI, CP.F.187 (1452).

[36] BI, CP.E.106 (1371).

[37] YML, M2(3)c, fol. 42^{v}.

[38] BI, CP.F.113 (1434).

marriages, and burials at the beginning of the 1480s since, unlike baptisms, all these generated a fee income.[39] Similar records must underpin the testimony of the chaplain of Sutton on Hull that details the large number of burials of adults and children at Sutton during the course of the epidemic year 1429.[40]

Literacy and the capacity to make written records — the information technology of the pre-Gutenberg era — were not solely deployed in relation to a priest's ordinary parochial responsibilities. It also allowed parochial clergy privileged access to aspects of the lives of their parishioners that today might rather be shared by a solicitor. In a breach of promise action dated 1434 the Rector of Elvington testified that within four days of the death of one John Cook, he drew up a schedule of Cook's debts. The Rector of Sutton upon Derwent also testified to the fact that Cook had acknowledged debts on his deathbed.[41] Indeed, the presence of clergy at the deathbed must alert us to the likelihood that parochial clergy regularly drew up wills. On the one hand, this would allow the priest to influence the testator's actions, not least by reminding him or her of their obligations in respect of mortuary fees and to the parochial clergy. On the other hand, the priest gained knowledge of the testators' kinship and friendship networks, their material wealth and their financial obligations.

Clerical office evidently brought chaplains, vicars, and resident rectors into regular and sometimes intimate contact with their parishioners and allowed them an unusual level of knowledge about their lives. The foregoing discussion has not exhausted all the examples of contact noticed in the cause paper sample. For example, a York priest asked a poor woman to sell a broadcloth for him (and testified against her when she failed to deliver the proceeds). It is unclear whether there was initially any charitable intent in so commissioning the woman or whether this is evidence of a priest supplementing his livelihood in commercial activity.[42] In another case, a York vicar choral, apparently resident in Easington, sued a widow for nonpayment of rent in respect of a chantry.[43] The case on which to finish, however, presents the priest on one level merely as bystander. In a disputed marriage case from 1362, one Alice Bellamy was seeking to have annulled

[39] BI, CP.F.306; Peter Heath, *Medieval Clerical Accounts*, Borthwick Paper, 26 (York: St Anthony's, 1964).

[40] YML, M2(3)c, fols 19^{v} and 42^{v}.

[41] BI, CP.F.114.

[42] BI, CP.E.82 (1355). The pertinent deposition is translated in *Women in England*, p. 158.

[43] BI, CP.E.217 (1395).

her marriage to Robert Thomson on the grounds that she was coerced into making it. The testimony of the priest, William de Thresk, is thus crucial. William testified that one Monday in Lent he and another man, Thomas Taillour of the neighbouring village of Husthwaite, came into Raskelf to get a cow of his released which had been taken to pay a royal fine. They stabled their horses at Alice's mother's house. Whilst at the house the two men became aware of a commotion going on in what the text identifies as the 'kilne'. On approaching, Alice and Robert emerged, Alice blushing profusely. The priest's companion then challenged them as to what they had been up to, but Alice allegedly replied that she had nothing to be ashamed of as Robert was her husband. Thomas Taillour then got the couple to exchange words of matrimony.[44]

For the purposes of this case, William de Thresk is thus the silent witness to evidence of intimacy and affection between a couple and, more devastatingly still, to an actual verbal contract of matrimony freely entered into by both parties. It is perhaps unsurprising to find, therefore, that the court of York ruled that the couple's marriage was valid. William is, however, not really a silent witness. His words in court are the undoing of Alice's case. He shows that Alice was married willingly and his testimony challenges Alice's contention that her kinsman Richard Bellamy threatened to throw her down a local well by denying that there was ever such a well. His appearance in the court is thus not accidental, but instead a deliberate choice. As a priest, whose voice might be understood to carry authority in an ecclesiastical forum, William is an ideal witness. But he is also an ideal witness because, as this essay has tried to show, he would have been known to have had good knowledge of his neighbours and his locality, would have taken a concerned interest in sexual conduct, and would have been knowledgeable about what constituted a canonically valid marriage. William's appearance as a witness is also indicative of the authority and respect that he commands within his rural community.

It is striking that parochial clergy appear conspicuously more frequently on behalf of rural litigants than of urban ones. This is not because rural litigants were significantly more numerous — they are not. Rather it is a reflection of the rather greater degree of attachment to their parishes enjoyed by rural clergy as local boys made good, as kin and neighbours, as employers and literates, but, not least, also as priests. Such integration was perhaps easier to maintain within communities where the regular movements of people in and out of the community could readily be monitored and adapted to and where few others offered a rival to the priest

[44] BI, CP.E.85.

either in terms of learning or access to the sacraments. In towns, population turnover was perhaps more intense. Friars, anchorites, and other nonparochial clergy offered ready alternatives to the priest as advisor, counsellor, confessor, and minister. Learning and literacy were not so exclusively clerical monopolies. Urban parochial clergy simply did not enjoy the same prestige or status. This is again part of a bigger picture. Rural society as reflected in the cause papers appears very conservative. Rural litigants were much less likely to use female deponents than their urban counterparts and social relations appear much more deferential. This is a world where girls often stayed at home until they married, and where parents took an active role in arranging their children's marriages.[45] It is also a world where the priest commands real respect and whose privileged knowledge of all his parishioners and their doings constitutes a very real source of authority.

[45] I have discussed some of these points at greater length in P. J. P. Goldberg, *Women, Work and Life Cycle: Women in York and Yorkshire c. 1300–1520* (Oxford: Oxford University Press, 1992).

The Power of the Purse: Usury, Jews, and Crusaders, 1198–1245

Rebecca Rist

The papacy in the first half of the thirteenth century perceived itself and indeed was seen throughout Europe as the ultimate spiritual power in Christian society, deriving its authority from Scripture and Apostolic Succession from St Peter.[1] The Jews, a religious minority within Christian Europe, remained outside Christian society and rejected any such papal claims. Nevertheless, the Jews' precarious position as outsiders meant that they were often dependent on the protection of the papacy and needed to take note of any papal legislation which concerned them. Since Jews were denied equal status to Christians and were barred from many positions of importance in a profoundly Christian society, their livelihoods and even survival might be dependent on moneylending. As a result in large part of the papacy's pronouncements, in the twelfth and thirteenth century lending at interest became an area of commerce which was increasingly more open to Jews than to Christians. In particular crusaders, who needed to borrow money in order to fulfil their vows to embark on crusades, were obvious targets for moneylenders. In lending to Christians and in particular to crusaders, Jews could not ignore the determination of popes who at one and the same time both authorized crusades and pronounced on moneylending. Papal-Jewish financial relations thus became involved with a variety of powers — the spiritual power of the papacy and the military power of

[1] Edward A. Synan, 'The Popes' Other Sheep', in *The Religious Role of the Papacy: Ideals and Realities, 1150–1300*, ed. by Christopher Ryan, Papers in Mediaeval Studies, 8 (Toronto: Pontifical Institute of Mediaeval Studies, 1989), pp. 389–411 (pp. 389–91).

the crusaders, versus the powerlessness of Jewish communities. On some occasions, however, more subtle sorts of 'informal influence' and economic interdependence were also brought into play by popes and laity alike to offset these apparently stark contrasts.

Occasionally, when popes issued letters concerned with crusading, whether appeals for military aid or dealing with specific issues which arose in the course of a campaign, they made authoritative pronouncements which directly concerned the Jews. A tiny percentage of papal letters referred specifically to Jews in the period between 1198 and 1245, namely, thirty-two letters of Innocent III, twenty-four of Honorius III, forty-six of Gregory IX, none at all of Celestine IV, and thirty-two of Innocent IV.[2] While the number of letters concerned with Jews in the context of crusading was even smaller, one aspect of considerable interest concerns the restrictions imposed by papal authority on moneylending to crusaders by Jews in the first half of the thirteenth century.

Lending at interest, otherwise known as usury, had always been a particular concern of the medieval church. Indeed, the church came to regard usury as a crime of the same order as homicide, sacrilege, perjury, homosexuality, incest, parricide, and simony. Church councils regularly issued authoritative decrees forbidding Christians to lend for the purpose of profit.[3] This stipulation was based on several passages from the Bible. Texts from the Old Testament: Exodus 22. 25, Deuteronomy 23. 19–20, and Leviticus 25. 35–37, all of which forbade the exaction of usury, were frequently quoted.[4] The New Testament passage, Luke 6. 34–35 was also often cited:

[2] Solomon Grayzel, *The Church and the Jews in the Thirteenth-Century: A Study of Their Relations during the Years 1198–1245 (1314), Based on the Papal Letters and the Conciliar Decrees of the Period*, I: *(1198–1245)* (New York: Jewish Theological Seminary of America, 1966) (henceforth Grayzel), p. 100.

[3] James Parkes, *The Jew in the Medieval Community: A Study of His Political and Economic Situation* (London: Soncino, 1938), p. 283.

[4] Exodus 22. 25, Deuteronomy 23. 19–20, and Leviticus 25. 35–37, *Biblia sacra iuxta Vulgatam versionem*, ed. by Richard Weber, 2 vols, 2nd edn (Stuttgart: Würtembergische Bibelanstalt, 1975), vol. I. For a discussion of the biblical texts see Parkes, *The Jew in the Medieval Community*, p. 278; John C. Moore, 'Pope Innocent III and Usury', in *Pope, Church and City: Essays in Honour of Brenda Bolton*, ed. by Frances Andrews, Christoph Egger, and Constance M. Rousseau, Medieval Mediterranean, 56 (Leiden: Brill, 2004), pp. 59–75 (p. 60).

> And if you lend to those from whom you hope to receive what thanks can you expect? Even sinners lend to sinners to get back the same amount. Instead, love your enemies and do good, and lend without any hope of return.[5]

To understand thirteenth-century papal pronouncements on usury, we must first consider the conciliar legislation of the twelfth century. The Third Lateran Council, the General Council called by Pope Alexander III in 1179, had emphasized the papacy's commitment to combating usury, which was a growing practice in Europe as trade and mercantile activity increased.[6] Canon 25 of this Council decreed that usurers should be refused communion and Christian burial and clergy who showed them any favour were to be suspended from office.[7] Alexander III's own particular concern with usury was also clear from his many letters on the subject.[8]

From 1179 onward a large number of local councils in France, England, and Germany continued the papal effort to ensure that the decrees of Lateran III were enforced by enacting legislation against both Christian and Jewish usury.[9]

[5] Luke 6. 34–35, *Biblia sacra iuxta Vulgatam versionem*, vol. II.

[6] Parkes, *The Jew in the Medieval Community*, pp. 282–83. On economic growth in Europe, see Mark R. Cohen, *Under Crescent and Cross: The Jews in the Middle Ages* (Princeton: Princeton University Press, 1994), pp. 77–82 and 87–88; Robert Chazan, *Medieval Stereotypes and Modern Anti-Semitism* (Berkeley: University of California Press, 1997), p. 305; Kenneth. R. Stow, *Alienated Minority: The Jews and Medieval Latin Europe* (Cambridge, MA: Harvard University Press, 1992), p. 222.

[7] *Decrees of the Ecumenical Councils*, ed. by Norman P. Tanner (London: Sheed & Ward, and Georgetown University Press, 1990), p. 223.

[8] Gregory IX, 'Liber extra decretalium', in *Corpus iuris canonici*, 2, ed. by Emil Friedberg (Leipzig: Tauchnitz, 1881), bk 5, tit. 19, cap. 9, cols 813–14 (henceforth X.5.19.9, cols 813–14); See Kenneth R. Stow, 'Papal and Royal Attitudes toward Jewish Lending in the Thirteenth Century', *American Jewish Society Review*, 6 (1981), 161–84 (p. 166); Parkes, *The Jew in the Medieval Community*, p. 283.

[9] Legislation on usury was included in the decrees of various councils. See, for example, the Council of Avignon (1209) (*Sacrorum conciliorum nova et amplissima collectio*, ed. by Joannes D. Mansi, 55 vols (Venice, [n. pub.], 1759–98) (henceforth *Mansi*) XXII, cols 783–98 (col. 786); Grayzel, p. 304), which decreed that usurers were to be excommunicated and punished according to the decrees of Lateran III while Jewish usurers in particular were to be prevented from exacting usury in accordance with the law of Innocent III; the Council of Paris (1212) (*Mansi*, XXII, cols 817–54 (col. 852); Grayzel, p. 306) included a particularly rhetorical diatribe against usurers who 'everywhere raise up synagogues for the wicked'; the Council of Montpellier (1214) (*Mansi*, XXII, cols 935–54 (col. 946)) was concerned with Christian usurers only; the Council of Narbonne (1227) (*Mansi*, XXIII, cols 19–26 (col. 21); Grayzel, p. 316) emphasized that Christians were

Twelfth- and thirteenth-century popes disliked the idea that Christians such as the Cahorsins continued to lend at interest, believing that it was detrimental to Christian society, not least in relation to crusading.[10] Again and again their letters reveal papal concerns that crusaders would be prevented from embarking on their journey because they could neither pay back the money which they had borrowed in order to set out nor the interest accruing from it. The cost of travelling to the East has recently been estimated as being approximately four times the annual income of many crusaders.[11] Most crusaders, therefore, would have needed to borrow money for their journey.[12]

In *Quantum praedecessores*, the famous general letter of 1145 to the Christian faithful calling for the Second Crusade, Pope Eugenius III had declared that crusaders were to be absolved from the payment of interest on debts which they had incurred either in the past or in order that they might take the Cross: '[W]ith regard to the past, they should not pay usurious loans, and if they themselves, or others, are bound to them, by oath or pledge, we absolve them by apostolic

severely oppressed by Jewish usury; the Council of Rouen (1231) (*Mansi*, XXIII, cols 213–32 (col. 213); Grayzel, p. 322) threatened the punishment of priors and abbots who exchanged money with Jews; the Council of Rheims-Council of Château Gontur (1231) (*Mansi*, XXIII, cols 222–42 (col. 239) legislated against all usurers; the Council of Béziers-Lyons (1246) (*Mansi*, XXIII, cols 689–704 (col. 701); Grayzel, p. 332) again complained that Jews were severely oppressing Christians by the exaction of usury; the Council of Albi (1254) (*Mansi*, XXIII, cols 832–52 (col. 850); Grayzel, p. 334) legislated against usury in general in accordance with the Council of Avignon and in particular against Jews (or any others) who exacted usury from Christians; the council of Béziers (1255) (*Mansi*, XXIII, cols 875–84 (cols 882–83); Grayzel, p. 336) ordered Jews to desist from usury and forbade anyone to contract debts to Jews or to allow Jews to obtain usury; the council of Vienne (1267) (*Mansi*, XXIII, cols 1167–78 (cols 1272–73) decreed against usurers in general and (at cols 1175–76) legislated against Jews exacting heavy and immoderate usury from Christians. For further details on these councils see Parkes, *The Jew in the Medieval Community*, p. 283, and John M. O'Brien, 'Jews and Cathari in Medieval France', *Comparative Studies in Society and History*, 10 (1967), 215–20 (pp. 217–19).

[10] For an excellent recent discussion of the Cahorsins and usury see James M. Murray, *Bruges, Cradle of Capitalism, 1280–1390* (Cambridge: Cambridge University Press, 2005), pp. 138–48.

[11] Jonathan S. C. Riley-Smith, *The First Crusaders, 1095–1131* (Cambridge: Cambridge University Press, 1997), p. 112.

[12] Robert C. Stacey, 'Crusades, Martyrdom and the Jews of Norman England 1096–1198', in Alfred Haverkamp, *Juden und Christien zur Zeit der Kreuzzzüge herausgegaben von Alfred Haverkamp, Vorträge und Forschungen*, Konstanzer Arbeitkreiss für mittelalterliche Geschichte, 47 (Sigmaringen: Thorbecke, 1999), pp. 233–51 (pp. 237–38).

authority.'[13] Such statements were repeated for the benefit of Christians by later popes in their letters calling for crusades.[14] It is important to note, however, that neither Eugenius III nor his successors made any statements prohibiting Jews in particular from lending at interest.[15] Innocent III would become the first pope to break this silence.

Indeed, the strict prohibitions against usury enjoined specifically on the Christian faithful may help to explain the increasing number of Jewish moneylenders in Europe in the twelfth century.[16] Grounded in biblical precepts, Judaism forbade loans at interest to coreligionists but not to foreigners. Furthermore, it seems that, despite discouraging Jews from taking interest, some rabbis in Europe justified exacting usury from Christians for economic reasons such as poverty, the exclusion of Jews from landed occupations, heavy taxation, and to ward off persecution.[17] The large profits made by Jews and other usurers gradually became a source of concern for churchmen.[18] The influential Bernard of Clairvaux, for example, called on kings to apply to Jews the stipulations on usury of *Quantum praedecessores*.[19] In response Louis VII of France issued an edict releasing crusaders from their obligations, beyond repayment of the principal,

[13] Eugenius III, 'Quantum praedecessores' (1 December 1145), in *Ottonis et Rahewini Gesta Friderici I Imperatoris*, ed. by Bernard von Simson, Scriptores Rerum Germanicarum in usum scholarum, 3rd edn (Hanover: Hahn, 1912), p. 57.

[14] For example, Gregory VIII, 'Audita tremendi' (29 October 1187), in *Chronicle of the Reign of Henry II and Richard I*, II: *Chronicles and Memorials*, ed. by William Stubbs, Rolls Series, 49 (London: Kraus Reprint, 1965), pp. 15–19.

[15] Stow, *Alienated Minority,* p. 114.

[16] For Jews as moneylenders see Cohen, *Under Crescent and Cross*, pp. 82–88; *Christendom and Its Discontents*, ed. by Peter D. Diehl and Scott L. Waugh (Cambridge: Cambridge University Press, 1996), pp. 220–21; R. B. Dobson, *The Jews of Medieval York and the Massacre of March 1190* (York: St Anthony's, 1974), pp. 9 and 238; Parkes, *The Jew in the Medieval Community*, p. 304; Stacey, 'Crusades, Martyrdom', p. 238–42.

[17] Cohen, *Under Crescent and Cross*, pp. 82–83. This large subject can only be touched on here.

[18] Stow, 'Papal and Royal Attitudes', p. 161.

[19] Bernard of Clairvaux, 'Sermo mihi ad vos' (1146), ed. by Jean Leclercq, 'L'Encyclique de Saint Bernard en faveur de la croisade', *Revue Bénédictine*, 81 (1971), 282–308 (pp. 295–330); See Kenneth R. Stow, *The '1007 Anonymous' and Papal Sovereignty: Jewish Perceptions of the Papacy and Papal Policy in the High Middle Ages* (Cincinnati: Hebrew Union College-Jewish Institute of Religion, 1984), p. 4.

specifically to Jewish lenders.[20] And Peter the Venerable declared that since all Jewish wealth was the product of moneylending and therefore of theft, all Jewish property should be confiscated and the proceeds put toward financing crusades.[21]

Such criticism continued in the thirteenth century. Innocent III's legate Robert de Courçon and the churchman Fulk of Neuilly, two disciples of the prominent Paris master Peter the Chanter, were particularly concerned with preaching against usury in France.[22] According to the chroniclers Roger of Howden and Guillaume le Breton, Robert de Courçon and Fulk of Neuilly railed against usury while reaching the Fifth Crusade in France.[23] Robert de Courçon preached that usury was evil and that the removal of all usurers would benefit the church and Christian society.[24] This antagonized not only members of the French clergy but also the King of France, who derived much revenue from taxing Christian and even Jewish moneylenders alike.[25] In reply to a complaint by the King and various of his barons about Robert de Courçon, Innocent III intervened in an attempt to to reconcile the opposing parties but did not fail to reprove the King for condemning the legate's preaching.[26] Innocent emphasized that the rapid growth of the practice of usury was of particular concern to the papacy, claiming

[20] Stacey, 'Crusades, Martyrdom', p. 241.

[21] Peter the Venerable, 'Quocumque meum tendat', in *The Letters of Peter the Venerable*, ed. by Giles Constable, Harvard Historical Studies, 78, 2 vols (Cambridge, MA: Harvard University Press, 1967), I, 326–30; see Stacey, 'Crusades, Martyrdom', p. 241.

[22] John W. Baldwin, *Masters, Princes and Merchants: The Social Views of Peter the Chanter and His Circle*, 2 vols (Princeton: Princeton University Press, 1970), I, 18, 20–22, and 36; Jessalynn Bird, 'Reform or Crusade? Anti-Usury and Crusade Preaching during the Pontificate of Innocent III', in *Pope Innocent III and His World*, ed. by John C. Moore (Aldershot: Ashgate, 1999), pp. 165–85, passim; Moore, 'Pope Innocent III and Usury', p. 60.

[23] Roger of Howden, *Chronica Magistri Rogeri de Houedene*, ed. by William Stubbs, Rolls Series, 51, 4 vols (London, 1868–71; repr. London: Kraus Reprint, 1964), IV (1871), 76–77; Henri-François Delaborde, *Oeuvres de Rigord et de Guillaume le Breton*, 2 vols (Paris: Librarie Renouard, 1882), I, 303–04. See Stow, *Alienated Minority,* pp. 224–25; and William Chester Jordan, *The French Monarchy and the Jews: From Philip Augustus to the Last of the Capetians* (Philadelphia: University of Pennsylvania Press, 1989), p. 79.

[24] Georges Lefèvre, *Le Traité 'De usura' de Robert de Courçon: Texte et traduction publiés avec une introduction*, Travaux et mémoires de l'Université de Lille, 10, Mémoire no. 30 (Lille: Au siège de l'université, Rue Jean-Bart, 1902), p. 35.

[25] Stow, *Alienated Minority,* p. 225.

[26] Innocent III, 'Quanto melior est' (14 May 1214), in Grayzel, pp. 138–40; see Jordan, *The French Monarchy and the Jews*, p. 73; and Baldwin, *Masters, Princes and Merchants*, I, 22.

that Christians were being oppressed by the exaction of excessive interest.[27] He stated that unless immoderate usury was prohibited there would not be sufficient money, raised from churches and by knights and others, to send as a subsidy to the Holy Land:

> [S]ince [...] in your kingdom, the pest of usury has grown more than is usual, devouring and consuming the wealth of churches, the military and of many others, to such an extent that, unless an efficacious medicine is applied to so great a disease, they would not be enough to extend help to the Holy Land.

It should be noted once again that the Pope's letter did not specifically mention moneylending by Jews. This might suggest that Innocent was primarily concerned to oppose any lending at interest rather than to target specifically Jewish usury. Both Robert de Courçon and Innocent, however, must have been well aware of many earlier papal decrees prohibiting Christians from moneylending and that such decrees had helped to ensure that there were an increasing numbers of Jewish moneylenders in the French kingdom.[28] Indeed Philip Augustus's anger at Robert's preaching reveals how much kings and barons had come to rely on taxing the profits of Jewish usury and the important role which Jews played in the economic growth of the French kingdom. *Quanto amplius*, Constitution 67 of the Fourth Lateran Council, revealed the depth of Innocent III's concern about moneylending by Jews:[29]

> The more the Christian religion refrains from the exaction of usury, by so much the more seriously does the Jewish perfidy grow with regard to these things, so that in a short time, the Jews exhaust the financial strength of Christians. Wanting, therefore, in this matter to take care of Christians, lest they be monstrously oppressed by the Jews, we order by synodal decree, that if in the future, under any pretext, Jews extort from Christians heavy and immoderate usury, they shall be removed from any commerce with Christians until they shall have made suitable satisfaction with regard to the immoderate burden. Christians, also, if there is a need, should be forced by ecclesiastical censure, without appeal, to abstain from commerce with them.[30]

That Jewish usury continued to worry not only Innocent but also subsequent thirteenth-century popes is strongly suggested by the inclusion of this statement

[27] Innocent III, 'Quanto melior est', in Grayzel, pp. 138–40.

[28] For the Jews as moneylenders in the French kingdom see Jordan, *The French Monarchy and the Jews*, pp. 73–78; and Stow, *Alienated Minority*, pp. 113–14.

[29] Robert Chazan, 'Pope Innocent III and the Jews', in *Pope Innocent III and His World* (see n. 22, above), pp. 187–204 (p. 193).

[30] *Decrees of the Ecumenical Councils*, p. 265

in the *Liber extravagantium decretalium*, the official collection of papal decretals commissioned by Gregory IX in 1230.[31]

The extent to which Jews were actually involved in moneylending to Christians remains a matter of debate.[32] It seems, however, that thirteenth-century popes believed that a growing number of Christians were indebted to Jews and that this threatened to undermine their calls for crusades. In 1198 Innocent III addressed the issue of moneylending by Jews at the end of his general crusading letter *Post miserabile*.[33] The statement was made in the context of a general prohibition on moneylending. It declared:

> If indeed certain of those setting out there are held bound by an oath to pay past usury, you, brother archbishops and bishops, shall force their creditors in your dioceses, with no obstacle of appeal, by the same measure, completely to absolve them from the oath, and to desist from the further exaction of usury. But if one of the creditors shall have forced them to pay usury, you shall, by similar punishment, without appeal, compel him to restore the usury.

A specific reference to the Jews followed:

> Indeed, we order that the Jews shall be compelled by you, my sons the princes, and by the secular power, to remit the usury to them and until they shall have remitted it, we order that they be completely shunned by the Christian community [...] by means of a sentence of excommunication.

Thus Jews, as well as Christians, were to remit usury to crusaders. This statement was repeated in the Pope's general letters *Graves orientalis terrae* and *Nisi nobis dictum*, concerned with the Fourth Crusade. It also appeared in Innocent's

[31] X.5.19.18, col. 816; see Gilbert Dahan, *Les intellectuels chrétiens et les juifs au moyen âge* (Paris: Éditions de Cerf, 1990), p. 116.

[32] For recent discussions see, for example, Jordan, *The French Monarchy and the Jews,* pp. 38–55; Robin Mundill, *England's Jewish Solution: Experiment and Expulsion, 1262–1290* (Cambridge: Cambridge University Press, 1998), pp. 108–18; and Chazan, 'Pope Innocent III and the Jews', pp. 192–93.

[33] Innocent III, 'Post miserabile Ierusolymitane' (15 August 1198), in *Die Register Innocenz' III. 1. Band. 1. Pontifikatsjahr, 1198/99: Texte*, ed. by Othmar Hageneder and Anton Haidacher, Publikationen der Abteilung für Historische Studien des Österreichischen Kulturinstituts in Rom, 2, 1, 1 (Graz: Böhlaus, 1964), 336, pp. 498–505 (pp. 503–04) (henceforth *Register Innocenz' III.*, I); Grayzel, p. 86; *The Apostolic See and the Jews: Documents*, ed. by Shlomo Simonsohn, I: *492–1404* (Toronto: Pontifical Institute of Mediaeval Studies, 1988) (henceforth Simonsohn), p. 71; see Jordan, *The French Monarchy and the Jews*, p. 73; Moore, 'Pope Innocent III and Usury', pp. 66–67.

general letter *Quia maior* which called for the Fifth Crusade and later on in Constitution 5 of the First Council of Lyons of 1245.[34]

Innocent's statements concerned with moneylending were not confined to crusades to the East. In March 1208 Innocent declared in a letter to the archbishops of Tours, Paris, and Nevers that moneylenders must not charge their debtors interest while they were absent in the Languedoc, thereby implying that the interest would resume when the crusaders returned.[35] But in October of the same year the Pope restated in a letter to all the clergy of France the pronouncement on moneylending which he had first made in *Post miserabile* in 1198.[36] Creditors must be forced to absolve crusaders from any oaths to pay past usury and were to desist from the further exaction of usury. If any creditors had forced crusaders to do so, any usurious payment was to be restored. Furthermore, Innocent now also added that prelates should endeavour to the best of their ability to induce lenders to defer the payment of the principal until the debtors had returned from the crusade.[37] In return his letter promised the lenders participation in the eternal reward of the crusaders whose cause they were promoting by their financial aid.[38]

Nothing was said about specifically Jewish lending in these two letters of 1208. But in another letter of October 1208 to Philip Augustus, Innocent repeated that

[34] Innocent III, 'Graves orientalis terrae' (31 December 1199), in *Register Innocenz' III.*, I, 258 (270), pp. 490–97 (pp. 496–97); Grayzel, p. 98; Simonsohn, p. 78; 'Nisi nobis dictum' (4 January 1200), *Die Register Innocenz' III. 2. Band. 2. Pontifikatsjahr, 1199/1200: Texte*, ed. by Othmar Hageneder, Werner Maleczek, and Alfred A. Strnad, Publikationen des Österreichischen Kulturinstituts in Rom, 2, 1, 2 (Rome: Verlag der Österreichischen Akademie der Wissenschaften, 1979), 259 (271), pp. 497–501 (p. 501); Grayzel, p. 98; Simonsohn, p. 78; 'Quia maior nunc' (22 April 1213), Grayzel, p. 136; Simonsohn, p. 97; see *Studien zum register Innocenz' III*, ed. by Georgine Tang (Weimar: Böhlau, 1929), pp. 92–93, for the full statement. For Lyons 1, see *Decrees of the Ecumenical Councils*, p. 299.

[35] Innocent III, 'Inter caetera quae' (4 March 1208), in *Patrologia cursus completus [...] Series Latina*, ed. by Jacques-P. Migne, 221 vols (Paris: Migne, 1844–64) (henceforth *PL*), CCXV, col. 1348; see Moore, 'Pope Innocent III and Usury', p. 67.

[36] Innocent III, 'Ut contra crudelissimos' (8 October 1208), in *PL*, CCXV, cols 1469–70.

[37] Moore, 'Pope Innocent III and Usury', p. 67. Moore believes that rather than postponing the payment of the principal (the interest-free loan), as I have suggested, the directive was much more likely to have been intended to prevent lenders from collecting interest as a penalty for late payment, which would have nullified the exemption from usury for crusaders provided by earlier papal privileges.

[38] Moore, 'Pope Innocent III and Usury', pp. 67–68.

Jews must remit the interest of those who were departing to take part in the Albigensian crusades.[39] Thus Jews were forbidden to exact usury from all those who took the Cross, not merely from those crusaders bound for the East. Innocent also again added that, if possible, there should be a postponement of the time originally set for the repayment of the principal:

> [W]e beseech your Royal Clemency in the name of God, that you force the Jews placed under your dominion, and you compel them by your royal power, that they should completely remit usury to their debtors who are about to set out for the service of their God, and that, if it can be done, they should suitably postpone the time limit which was fixed for the payment of the principal.[40]

These instructions were repeated in another letter of Innocent's of 1209 which was also concerned with the Albigensian crusades.[41]

Such letters suggest an equal disapproval by popes of both Christian and Jewish lending at interest. Innocent III's definitive statement on the problem of usury, however, as expressed in the legislation of the Fourth Lateran Council, was more complex.[42] As already noted, Constitution 67 had stated:

> The more the Christian religion refrains from the exaction of usury, by so much the more seriously does the Jewish perfidy grow [...]. Wanting, therefore [...] to take care of Christians, lest they be monstrously oppressed by the Jews, we order by synodal decree, that if in the future, under any pretext, Jews extort from Christians heavy and immoderate usury, they shall be removed from any commerce with Christians until they shall have made suitable satisfaction with regard to the immoderate burden.[43]

Thus although Constitution 67 decreed that Christian lenders were completely forbidden to lend at interest, no such statement was made about the Jews. Rather, Jews were not to exact heavy and immoderate usury ('graves et immoderatas usuras'), which implied that they were permitted to demand a reasonable rate of interest from Christians.[44]

[39] Innocent III, 'Ut contra crudelissimos' (9 October 1208), in Grayzel, p. 132, and Simonsohn, p. 95; see Moore, 'Innocent III and Usury', pp. 67–68.

[40] Innocent III, 'Ut contra crudelissimos', in Grayzel, p. 132, and Simonsohn, p. 95.

[41] Innocent III, 'Gloriantes hactenus in' (11 November 1209), in Grayzel, p. 134, and Simonsohn, p. 96.

[42] Stow, 'Papal and Royal Attitudes', pp. 161–84.

[43] Stow, 'Papal and Royal Attitudes', p. 163.

[44] *Decrees of the Ecumenical Councils*, p. 265.

Furthermore, *Ad liberandam*, Constitution 71 of the Fourth Lateran Council, which was concerned with the recovery of the Holy Land, decreed that crusaders in particular were to be released from their oath to pay interest:

> If indeed certain of those setting out there are held back, bound by an oath to pay usury, we order that their creditors be compelled by the same measure to remit for them the past oath and to desist from the exaction of usury.[45]

This seems to suggest that Jews were to remit to crusaders not merely any interest which they had incurred once they had taken the Cross, but all interest for all past debts.

Christians were to be excommunicated if they made business deals with any Jews who continued to exact usury from crusaders:

> Indeed we order that the Jews be compelled by means of the secular powers to remit their usury, and until they shall have remitted it, they shall be completely denied commercial activity with the universal Christian faithful, by means of the sentence of excommunication.

Significantly, crusaders' debts to Jews were not to be canceled but rather postponed along with the interest until their return home:[46]

> Moreover, for those who are not able to pay their debts to the Jews at the present time, the secular powers shall procure the needed moratorium, so that after their journey has been undertaken, until it is known for certain concerning their death or return, they shall not incur the inconveniences of usury.

Finally, the same decree referred to *vifgages*, living pledges or security, by which property was held by the lender as security for repayment by the borrower. It stated that if Jews held crusaders' property as security for repayment of a debt, the revenues which they were receiving from such property must also be included, after deduction of necessary expenses, in the principal which the crusaders were to pay back, 'with the Jews being forced to count into the capital, the income from the security, minus the cost of maintenance, which it will yield in the meantime'. The whole of this decree of Lateran IV was repeated at the First Council of Lyons in 1245.[47]

There seemed, therefore, to be a contradiction between the Pope's realization that crusaders needed to raise cash to go on crusade and his statements both to

[45] *Decrees of the Ecumencial Councils*, p. 269.

[46] Stow, 'Papal and Royal Attitudes', p. 162.

[47] *Decrees of the Ecumenical Councils*, p. 299.

Christian and Jewish moneylenders which called for the remission of interest on specifically past debts. Although it is possible that Innocent counted on Christians being willing to lend without interest because this would gain them a partial indulgence for assisting a crusade, it is unlikely that he was so naive. Furthermore, why should Jews have agreed to lend to *crucesignati* (crusaders) on such unfavourable terms, particularly when lending money for crusades was already such an uncertain business? Possibly Innocent calculated that his statements would mean that, by freeing up interest on past debts, it would be easier for a crusader to fund his crusade expenses without actually needing to take out new loans. It seems more likely, however, that his statements on the subject were not intended to be read literally. Rather they were meant to act as the start of and catalyst for negotiations between moneylenders and crusaders and that the Pope expected that both parties would negotiate and thrash out a final agreement among themselves.

Thus the legislation of the Fourth Lateran Council shows that the church regarded those who borrowed from Jews as falling into two groups. The first group, consisting of those who took the Cross, were granted a moratorium on the principal of their loans and the remission of interest paid before their departure. The crusader was therefore granted a very special status by the papacy. The second group included all other Christians who were merely protected against immoderate usury.[48] It seems that in realizing that Jews played an invaluable role as moneylenders in Christian society, Innocent III was careful not to ban Jewish usury completely.

Honorius III did nothing to alter the policy of his predecessor, Innocent III, with regard to moneylending by Jews to crusaders. In a letter of 1217 to the abbot and the prior of St Geneviève of Paris and to a certain canon of Bourges, Honorius requested an investigation into allegations made by Countess Blanche of Champagne against the Archbishop of Sens and his suffragans.[49] One complaint made by the Countess was that the Archbishop had refused to allow the same privileges to crusaders and Jews in her territory with regard to moneylending as were permitted in Philip Augustus's domain after the King's important edict of 1206.[50] This edict had stated that there was to be a ceiling on

[48] Stow, 'Papal and Royal Attitudes', p. 163.

[49] Grayzel, p. 55, and p. 144, n. 3.

[50] Honorius III, 'Cum olim nobilis' (28 January 1217), in Grayzel, p. 144, and Simonsohn, p. 102. 'Et habentes pondus et pondus illud in crucesignatis et Judeis in terra eiusdem commitisse morantibus iisdem noluerunt concedere quod Phillipo illustri regi Francorum in his qui

the interest Jews could charge Christians.[51] Jewish usury was not to exceed two pennies per pound per week and there was to be a prohibition on the use of church vessels as pledges.[52] Furthermore, interest owed by crusaders in particular was frozen at the standard rate of two pennies per pound per week.[53] Since there were two hundred and forty pence in the pound, this meant that Philip Augustus had fixed a rate of return for the Jews at 43 per cent per annum.[54] In order to prevent the Jews amassing greater profits, however, the edict had also stated that interest was not to be compounded until after a full year had elapsed.[55] The Countess was appealing to the Pope to ensure not only that crusaders' rights with regard to usurious contracts were maintained, but also that there should be a

domaniam terram ipsius inhabitant concesserunt' (Grayzel, p. 144, n. 4). For a discussion of the edict of Philip Augustus of 1206 see C*hurch, State and Jews in the Middle Ages*, ed. by Robert Chazan (New York: Behrman House, 1980), pp. 205–07.

[51] Honorius III, 'Cum olim nobilis', in Grayzel, p. 144, and Simonsohn, p. 102.

[52] This edict of Philip Augustus of 1206 prohibiting the use of church vessels as pledges accorded with Innocent III's concern about the theft of church plate. For Innocent III's gift list including gifts of church vessels to various churches see the end of the *Gesta Innocentii PP III*, in *PL*, CCXIV, cols xviii–ccxxviii, especially Chapter 145, cols cciii–ccxi, and Chapter 149, cols ccxxvi–ccxxviii; *The Deeds of Pope Innocent III by an Anonymous Author*, trans. by James M. Powell (Washington DC: The Catholic University of America Press, 2004), pp. 259–65, and 266–68; see Brenda M. Bolton, '*Qui fidelis est in minimo*: The Importance of Innocent III's Gift List', in *Pope Innocent III and His World* (see n. 22, above), pp. 113–40 (p. 120). For an excellent discussion of the whole *Gesta Innocentii PP III*, see Brenda M. Bolton, 'Too Important to Neglect: The Gesta Innocentii PP III', in *Innocent III: Studies on Papal Authority and Pastoral Care* (Aldershot: Ashgate, 1995), pp. 87–99, passim. Philip Augustus's significant edict, according with later legislation of local councils which prohibited the use of church vessels as pledges, particularly in England where the legislation of Constitution 67 of Lateran IV (1215) was directly influential earlier in France than elsewhere in Europe. See the Synodal Statutes of Bishop William of Blois for the diocese of Worcester in 1219 and 1229 in *Councils and Synods: With Other Documents Relating to the English Church*, II, pt 1: *1205–1265*, ed. by Frederick M. Powicke, Christopher R. Cheney, and others (Oxford: Clarendon Press, 1964), pp. 55 and 171 (henceforth *Councils and Synods*). The edict of 1206 also accorded with later legislation of local councils concerning the keeping of chrism and the Eucharist under lock and key which drew on Constitution 20 of Lateran IV; see *Decrees of the Ecumenical Councils*, p. 244. *Councils and Synods*, p. 171, where William of Blois, Bishop of Worcester (1218–36), introduced the use of Limoges chalices which could not be melted down like silver ones, following the practice of Innocent III who particularly favoured Limoges work.

[53] Chazan, *Church, State and Jew in the Middle Ages*, pp. 205–07.

[54] Chazan, *Church, State and Jew in the Middle Ages*, pp. 205–07.

[55] Chazan, *Church, State and Jew in the Middle Ages*, pp. 205–07.

degree of protection for Jews living in her territory who made loans at interest. Blanche was thus using her more subtle and informal influence to have the interdependence between Jews and crusaders both accepted and confirmed.

In another letter of 1219 addressed to the abbots of St Jean de Vignes of Soissons and of Valsecret and to the dean of Soissons, Honorius again complained that certain bishops and prelates of the church were once more flouting the decrees of the Fourth Lateran Council and harassing the Countess's Jews.[56] The council had decreed that Jews should be compelled by secular lords to return the usury they had extorted from crusaders. It seems, however, that French clerics, unhappy with the stipulations on Jewish moneylending of *Quanto amplius*, Constitution 67 and *Ad liberandam*, Constitution 71 of Lateran IV, were trying to force Jews to return the interest they had received from all borrowers.[57] In response, Honorius endorsed Innocent III's legislation that Jews should be allowed to charge a ceiling rate of interest for the general populace, but also continued his predecessor's policy in maintaining that there should be special privileges for those who took the Cross.

Papal preoccupation with Jewish usury and its effects on crusading continued during the pontificate of Gregory IX. In a letter of 1228 calling on the clergy of France to renew the crusade against heresy in the south of France, Gregory repeated almost word for word the decree *Ad liberandam* of the Fourth Lateran Council.[58] Christian creditors must remit oaths made by crusaders to pay usury and must cease charging interest, while those with debts to crusaders were to pay them what they owed without interest. Creditors of crusaders were to extend the time allowed for payment of debts. Jews must also cease from exacting usury and if any crusaders could not immediately repay their debts to Jews, judges in the secular courts should grant a moratorium so that, from the time of their departure until their death or return was confirmed, they should not be burdened by the payment of interest. Furthermore, Jews were to reckon into the principal the income from pledges held as security. Such stipulations seem to have interpreted older decrees protecting the lands of crusaders absent on the First Crusade.[59]

[56] Honorius III, 'Dilecta in Christo' (21 June 1219), in Grayzel, pp. 150–52, and Simonsohn, pp. 106–07.

[57] Stow, 'Papal and Royal Attitudes', pp. 164-5

[58] Gregory IX, 'Ardenti desiderio aspirantes' (21 October 1228), in Grayzel, p. 180, and Simonsohn, pp. 126–28.

[59] For a recent discussion of crusader finances see Riley-Smith, *The First Crusaders, 1095–1131*, pp. 125–29.

Gregory IX repeated these injunctions in a letter of 1234 to the Christian faithful of France and in other letters of 1235 addressed to the clergy, to the King of France, to Theobald I, King of Navarre and Count of Champagne, to the French nobility, to the Countess of Flanders, and to Philip and Amalric de Montfort.[60] These letters were concerned with Gregory's plans to resume hostilities in the East when Frederick II's treaty with the Muslims should expire in 1239. Like his predecessors, the Pope emphasized that Jews, unlike Christians, had the eventual right to collect the interest which had accrued from crusaders.[61] In 1237 he complained to the Bishop of Chichester, to the Bishop-elect of Valence-Dié, and to the abbot of the Monastery of St Augustine of Canterbury, that the Archbishop of Canterbury had dismissed without due consideration letters which he had sent concerned with the exaction by Jews from crusaders of 'immoderate and heavy usury' (immoderato gravamine usurarum).[62] The Pope also urged Louis IX, the Archbishop of Sens, and the Bishop of Senlis to use money that the King had seized from Jews living in his kingdom to assist the struggling Latin Empire.[63]

We possess no letters of Celestine IV concerned with crusading and Jewish usury, but letters of Innocent IV appear to suggest a continuation of the same policy as his thirteenth-century predecessors. In 1247, for example, Innocent bestowed on the titular bishop of Morocco the same privileges for those who went on a military campaign to Africa as had been granted at the Fourth Lateran Council for those who were setting out on crusade to the Holy Land and he implied that the same regulations were to be followed concerning moneylending by Jews.[64] Letters of 1248 to the Bishop of Tusculum, a papal legate, of 1252 to

[60] Gregory IX, 'Rachel sum videns' (17 November 1234), in Grayzel, p. 216, and Simonsohn, pp. 152–53; 'Pravorum molestiis eum' (13 April 1235), in Grayzel, p. 218, and Simonsohn, pp. 153–54; 'Eis qui signo' (13 April 1235), in *Les Registres de Grégoire IX*, 4 vols, ed. by Lucien Auvray, Bibliothèque des Écoles françaises d'Athènes et de Rome, ser. 2, 9 (Paris: Fontemoing, 1890–1955), II (1907), nos 2512–17.

[61] Stow, 'Papal and Royal Attitudes', p. 164.

[62] Gregory IX, 'Dilectus filius magister' (5 January 1237), in Grayzel, pp. 230–32, and Simonsohn, pp. 165–67.

[63] Gregory IX, 'Ex parte tua' (6 October 1237), in Grayzel, pp. 232–34, and Simonsohn, pp. 167–68; 'Cum karissimo in' (10 December 1238), in Grayzel, p. 238, and Simonsohn, p. 170.

[64] Innocent IV, 'Cum laicorum obsequiis' (3 April 1247), in Grayzel, p. 262, and Simonsohn, p. 189.

the universal Christian faithful and of 1253 to the prior of the Dominicans in Paris, repeated the concessions to crusaders granted by Gregory IX.[65]

The importance of the crusades for the thirteenth-century papacy ensured that popes continued to grant special privileges to crusaders with respect to Jewish usury. Canon lawyers, however, became increasingly unhappy about the distinction which popes made between crusaders and other Christians with regard to moneylending to Jews.[66] For this reason the wording of Innocent III's general crusading letter *Post miserabile* was significantly changed when, under the slightly altered incipit *Per miserabilem*, it was added to the official decretal collection, *Compilatio tertia*, compiled by the canonist Pietro Collivaccino, also known as Pietro da Benevento, in 1209.[67] Whereas the original letter was concerned only that Jews should remit interest to crusaders, the edited version, made outside the context of crusading and given universal application, enjoined Jews to remit interest to all their debtors. Under the incipit *Post miserabilem*, this revised version was included in the definitive decretal collection, the *Liber extravagantium decretalium* of Raymond de Peñafort, which was commissioned by Gregory IX in 1230 and formally published in 1232.[68] The thirteenth-century canonists Raymond de Peñafort and Hostiensis also made a further attempt to harmonize the various canon law texts concerned with Jewish usury. They argued that, in order not to seem to contradict the papal decretal *Post miserabilem* irreconcilably, the statement in *Quanto amplius* that Jews should not charge Christians 'immoderate interest' ought to be read as a prohibition against Jews charging Christians any interest at all.[69]

[65] Innocent IV, 'Pravorum molestiis eum' (21 July 1248), in Grayzel, p. 280, and Simonsohn, pp. 199–200; 'Afflicti corde pro' (1252), in Grayzel, p. 290, and Simonsohn, p. 206; 'Planxit hactenus non' (2 April 1253), in Grayzel, p. 290, and Simonsohn, p. 206.

[66] Stow, 'Papal and Royal Attitudes', pp. 166–67.

[67] 'Compilatio tertia', 'Quinque compilationes antiquae', in *Corpus iuris canonici*, ed. by Emil Friedberg (Leipzig: Tauchnitz, 1882), bk 5, tit. 10, cap. 2, p. 131; see James A. Brundage, *Medieval Canon Law and the Crusader* (Madison: University of Wisconsin Press, 1969), p. 76; Dahan, *Les Intellectuels chrétiens*, p. 116. See also James M. Powell, 'Innocent III and Petrus Beneventanus: Reconstructing a Career at the Papal Curia', in *Pope Innocent III and His World* (see n. 22, above), pp. 51–62.

[68] X.5.19.12, col. 814; see Dahan, *Les Intellectuels chrétiens*, p. 116; and James A. Brundage, *Medieval Canon Law* (London: Longman, 1995), pp. 215 and 222.

[69] Stow, 'Papal and Royal Attitudes', p. 167.

Honorius III, Gregory IX, and Innocent IV followed closely the legislation of their predecessor, Innocent III, with respect to Jewish lending to crusaders. Crusaders were to be given special protection from Jewish moneylending. Nevertheless, Jews were also granted the eventual right to collect the interest on debts which crusaders had accrued. In this the popes followed a less harsh line toward the Jews and moneylending than many of their clergy might have wished.[70] The thirteenth-century papacy used its power as the ultimate spiritual authority in Christian society both to defend the interests of crusaders and to afford some measure of protection to Jewish moneylenders. Such a compromise displeased and disconcerted canon lawyers who, like many other ecclesiastics, would have preferred that Jews not be allowed to charge any interest at all. It also displeased many clerics, in particular, the Archbishop of Sens and his suffragans, and the abbots and clergy of Soissons, who experienced the informal and rather subtle influences being exerted by Blanche, Countess of Champagne, in her appeals to Honorius III in 1219 to obtain rights for crusaders with regard to usurious contracts as well as a greater degree of protection for those Jews living in her territories. It seems, therefore, that the popes of the first half of the thirteenth century had a more positive and certainly more complex view of the interdependence between themselves, the crusaders, and the Jewish moneylenders than historians have usually allowed.

[70] The similarities and differences in the attitude of popes and the clergy toward the Jews in the central Middle Ages merit further attention by historians, as do Jewish attitudes toward both popes and clergymen.

Part III. The Power of Words

Concepts of Power in Anglo-Scandinavian Verse

Jayne Carroll

From the arrival in 787 of 'þa ærestan scipu deniscra monna þe Angelcynnes lond gesohton' (the first ships of the Danish men who sought out the land of the English)[1] to the twenty-six-year reign of Knútr (Cnut) and his sons in the first half of the eleventh century, the Scandinavians had a profound impact upon the holding of power in pre-Conquest England. The incursions of the First Viking Age crippled the kingdoms of Northumbria, Mercia, and East Anglia, ultimately leaving the way clear for the tenth-century leaders of Wessex to assert sovereignty over areas of England which had not previously been under their control.[2] The renewal of Viking raids in the famously disastrous reign of Æthelred II culminated in an enormously significant, albeit temporary, transfer of power: the West Saxon dynasty which traced its roots back to Cerdic, who according to the Anglo-Saxon Chronicle arrived in 495 to challenge the Britons of southern England,[3] was forced to yield its hard-won lands to a Dane, Knútr the Great.[4]

Thanks to Sarah Knight and Elaine Treharne for their valuable comments on various aspects of this paper, and to those who made helpful observations at its first airing in Leeds.

[1] Anglo-Saxon Chronicle, MSS ABCDE, s.a. 787, in *The Anglo-Saxon Chronicle: A Collaborative Edition*, III: *Ms A*, ed. by Janet Bately (Cambridge: Brewer, 1986), p. 39.

[2] The so-called First Viking Age stretches from the initial raids *c.* 780 to Alfred's successful defence of Wessex in the 880s and 890s.

[3] *Ms A*, pp.19–21.

[4] Accounts of the events leading up to Knútr's accession are given in Frank M. Stenton, *Anglo-Saxon England*, 3rd edn (Oxford: Oxford University Press, 1971), pp. 381–93; Michael K. Lawson, *Cnut: The Danes in England in the Early Eleventh Century* (London: Longman, 1993), pp. 9–48; Simon Keynes, 'The Vikings in England, *c.* 790–1016', in *The Oxford Illustrated*

Both the first half of the tenth century and the early eleventh century were thus periods that saw significant shifts of power related to the Scandinavian impact upon Anglo-Saxon England. Verse, emanating from the centres of power, survives from both of these periods.

From the first half of the tenth century, poetry in Old English, in Old Norse, and in Latin has survived, particularly in relation to the reign of Athelstan. In Old English, we have two of the poems preserved in the various manuscripts of the Anglo-Saxon Chronicle.[5] *The Battle of Brunanburh*, preserved s.a. 937 in MSS ABCD, celebrates the victory of Athelstan and his brother Edmund over the combined forces of Scandinavian Óláfr Guðfriðsson of Dublin (Anlaf in the poem) and Constantine, King of the Scots. *The Capture of the Five Boroughs*, s.a. 942 in MSS ABCD, also commemorates a notable English triumph. The 'Five Boroughs' of the Danelaw — Leicester, Lincoln, Nottingham, Stamford, and Derby — had been taken by the same Óláfr Guðfriðsson after Athelstan's death: the poem celebrates Edmund's capture of the area from Óláfr's successor, Óláfr Sigtryggsson.[6] In Latin, there are three relevant poems, all concerning Athelstan.[7] The first, an acrostic from 'Iohannes' to Athelstan, records the conferring of consulship on Athelstan as a very young man; the second, 'Carta dirige gressus', announces his successes of 927, when Constantine, Óláfr Sigtryggsson, and Guðfriðr, the son of Ívarr Beinlauss ('the boneless'), acknowledged the English king's supremacy; the third, 'Rex pius Athelstan', a book dedication, is addressed to the monks of Canterbury. In addition to these 'English' products, we have one stanza and the refrain from an Old Norse poem in praise of Athelstan. *Aðalsteinsdrápa*, composed by the Icelandic poet Egill Skalla-Grímsson and preserved in the thirteenth-century Icelandic *Egils saga*,[8] belongs to the large

History of the Vikings, ed. by Peter Sawyer (Oxford: Oxford University Press, 1997), pp. 48–82 (pp. 73–82).

[5] The relevant manuscripts are Cambridge, Corpus Christi College, 173 (MS A); London, British Library, Cotton Tiberius A.VI; (MS B); London, British Library, Cotton Tiberius B.I (MS C); London, British Library, Cotton Tiberius B.IV (MS D).

[6] *The Battle of Brunanburh*, ed. by Alistair Campbell (London: Heinemann, 1938); *The Anglo-Saxon Minor Poems*, ed. by E. V. K. Dobbie (New York: Columbia University Press, 1942), pp. 16–21. The titles are editorial.

[7] Michael Lapidge, 'Some Latin Poems as Evidence for the Reign of Athelstan', *Anglo-Saxon England*, 9 (1981), 61–99.

[8] *Egils saga Skalla-Grímssonar*, ed. by Sigurður Nordal, Íslenzk fornrit, 2 (Reykjavík: Hið íslenzka fornritafélag, 1933), pp. 146–47. The authenticity of skaldic poems which are purported

corpus of Scandinavian 'skaldic' poetry, so called because it usually has a named author (Old Norse *skald*, later *skáld*, 'poet'), but usually defined also in terms of its complex metre and vocabulary and its historical subject matter (it is very often occasional poetry in praise of — usually Norwegian — kings and earls).[9]

For the early-eleventh-century reign of Knútr we have a substantial body of verse, all of it Old Norse skaldic poetry.[10] This corpus has received considerable and expert attention in recent years, with notably fine studies from Roberta Frank and Matthew Townend.[11]

Comparative work across these corpora — and other poems which have been deemed in some way 'Anglo-Scandinavian' — has tended to focus upon possible points of influence, either attempting to pinpoint specific Scandinavian features which turn up in Old English poetry,[12] and vice versa,[13] or suggesting that generic

to be the product of poets composing considerably earlier than the period of saga-composition is a matter of debate. E. O. G. Turville-Petre gives a general introduction to the problem in *Scaldic Poetry* (Oxford: Clarendon Press, 1976), pp. lxvi–lxxiv, and see particularly Peter Foote, 'Wreck and Rhymes', in *The Vikings*, ed. by Thorsten Andersson and Karl Inge Sandred (Uppsala: University of Uppsala, 1978), pp. 57–66. *Aðalsteinsdrápa* is one of the poems which meet Judith Jesch's criteria for inclusion in her corpus of skaldic verse 'with clear evidence of an English context': 'Skaldic Verse in Scandinavian England', in *Vikings and the Danelaw: Select Papers from the Proceedings of the Thirteenth Viking Congress*, ed. by James Graham-Campbell and others (Oxford: Oxbow, 2001), pp. 313–25 (p. 317).

[9] Margaret Clunies Ross, *A History of Old Norse Poetry and Poetics* (Cambridge: Brewer, 2005), pp. 13–18.

[10] Full references to all the skaldic poems in honour of Knútr are listed in Matthew Townend, 'Contextualising the *Knútsdrápur*: Skaldic Praise Poetry at the Court of Cnut', *Anglo-Saxon England*, 30 (2001), 145–79 (pp. 145–46).

[11] Roberta Frank, 'King Cnut in the Verse of His Skalds', in *The Reign of Cnut*, ed. by Alexander R. Rumble (London: Leicester University Press, 1994), pp. 106–24; Townend, 'Contextualising the *Knútsdrápur*'. See also Russell Poole's meticulous examination of the light that skaldic verse casts on the Danish campaigns in England leading up to the transfer of power on 1016: 'Skaldic Verse and Anglo-Saxon History: Some Aspects of the Period 1009–1016', *Speculum*, 62 (1987), 265–98; and Judith Jesch's detailed analysis of Hallvarðr hárekblesi's *Knútsdrápa*: 'Knútr in Poetry and History', in *International Scandinavian and Medieval Studies in Memory of Gerd Wolfgang Weber*, ed. by Michael Dallapiazza and others (Trieste: Edizioni Parnaso, 2000), pp. 243–56.

[12] See the articles by Roberta Frank: 'Skaldic Verse and the Date of *Beowulf*', in *The Dating of 'Beowulf'*, ed. by Colin Chase (Toronto: Toronto University Press, 1981), pp. 123–39; 'What Kind of Poetry Is *Exodus*?', in *Germania: Comparative Studies in the Old Germanic Languages and Literatures*, ed. by Daniel G. Calder and T. Craig Christy (Woodbridge: Brewer, 1988), pp. 191–205; 'Did Anglo-Saxon Audiences Have a Skaldic Tooth?', *Scandinavian Studies*, 59 (1987),

similarities can be accounted for through direct influence.[14] Such approaches have generated much interesting and stimulating work. The comparative approach adopted here, however, will not consider possible lines of influence, but will compare ideas of power presented in poetry in different languages from one particular historical moment in Anglo-Scandinavian England: in other words, it is a broader 'comparative literary' approach.[15] My question is this: do the early-tenth-century poems on Athelstan, in different languages — and therefore with potentially different audiences — but all from Anglo-Scandinavian England, draw upon and promote similar concepts of power?

The idea of power is central to both skaldic poetry and to the English and Latin poems, because they have as their subjects people in power: rulers of England. They record ascents to power, both through peaceful succession and after conflict, and the maintenance of power. The ways in which the power of these rulers is communicated in these poems is particularly interesting because the texts can lay claim to something like official status, albeit in rather different ways; they are approved by the centres of power.

338–55; 'Anglo-Scandinavian Poetic Relations', *American Notes and Queries*, n.s. 32 (1990), 74–79; and most recently 'North-Sea Soundings in *Andreas*', in *Early Medieval English Texts and Interpretations*, ed. by Elaine Treharne and Susan Rosser, Medieval and Renaissance Texts and Studies, 252 (Tempe: Arizona Center for Medieval and Renaissance Studies, 2002), pp. 1–11. The possibility of *Brunanburh*'s indebtedness to skaldic verse has been investigated in Dietrich Hofmann, *Nordisch-englische Lehnbeziehungen der Wikingerzeit* (Copenhagen: Munksgaard, 1955), pp. 165–67; Joseph Harris, '*Brunanburh* 12b–13a and Some Skaldic Passages', in *Magister Regis: Studies in Honour of Robert Earl Kaske*, ed. by Arthus Groos and others (New York: Fordham University Press, 1986), pp. 61–68; and John Niles, 'Skaldic Technique in *Brunanburh*', *Scandinavian Studies*, 59 (1987), 356–66. Richard Dance give a very useful review of recent and older scholarship in this area in 'North Sea Currents: Old English-Old Norse Relations, Literary and Linguistic', in *Literature Compass*, 2 (2004), <www.literature-compass.com/viewpoint.asp?section=1&ref449>.

[13] Hofmann, *Nordisch-englische Lehnbeziehungen*, pp. 21–148; John McKinnell, 'Eddic Poetry in Anglo-Scandinavian Northern England', in *Vikings and the Danelaw* (see n. 8, above), pp. 331–33.

[14] Matthew Townend, 'Pre-Cnut Praise-Poetry in Viking Age England', *Review of English Studies*, 51 (2000), 349–70.

[15] As described in Michael Lapidge, 'The Comparative Approach', in *Reading Old English Texts*, ed. by Katherine O'Brien O'Keeffe (Cambridge: Cambridge University Press, 1997), pp. 20–38.

Skaldic praise poetry was typically composed for performance at court, in front of the praisee.[16] The original performance context of the skaldic poems is implied — sometimes described — in the sagas in which they are quoted. The subject of a poem — the ruler — determines when and where the praise is delivered, and who hears it; the poet recites his poem, and then receives a reward judged commensurate with his performance from the object of his praise.[17] The image presented in that performance was presumably designed to elicit considerable remuneration, and therefore the poet would take pains to ensure that it was to the ruler's liking. In memorized form, a successful poem lived beyond the initial recital, circulating and enhancing the reputation of its subject during that person's lifetime and, in the case of the verses which were preserved at first orally and then within the later medieval manuscripts of the Icelandic sagas and poetic treatises, for posterity.[18] It is possible that a favourable reception — and a generous payment[19] — contributed to the preservation of a poem. For these reasons we can be relatively certain that the surviving poetry represents the rulers in 'approved' fashion.

Even though the skaldic verse and *Brunanburh* are both preserved within prose compilations, the relationship between their preservation and their status as court power discourse is very different. If we accept that the skaldic poems are indeed authentic Viking Age products, we accept that they pre-existed their manuscript context and were performed orally,[20] and it is the circumstances of the oral

[16] In the case of *erfidrápur* (poems composed a short time after the praisee's death), a performance at the funeral of the ruler or at the court of his successor may be assumed.

[17] An example with an English context can be found in *Gunnlaugs saga ormstungu*, chap. 7, where the young poet Gunnlaugr performs in front of Æthelred, and receives in return a splendid cloak, a place in Æthelred's retinue and, later, a gold ring; *Borgfirðinga Sǫgur*, ed. by Sigurður Nordal and Guðni Jónsson, Íslenzk fornrit, 3 (Reykjavík: Hið íslenzka fornritafélag, 1938), pp. 70–71.

[18] On the memorability of skaldic verse, see Judith Jesch, 'The Power of Poetry', in *Beretning fra nittende tværfaglige vikingesymposium*, ed. by Else Roesdahl and Preben Meulengracht Sørensen (Moesgård: Forlaget Hikuin and Afdeling for Middelalderakæologi, 2000), pp. 21–39 (pp. 24–25).

[19] '[W]e must doubtless assume that it was the lavish rewards that were best remembered'; Bjarne Fidjestøl, 'Have You Heard a Poem Worth More? A Note on the Economic Background of Early Skaldic Praise Poetry', in his *Selected Papers*, ed. by Odd Einar Haugen and Else Mundal (Odense: Odense University Press, 1997), pp. 117–32 (p. 121) (originally publ. in Norwegian in 1984).

[20] Although perhaps not as described in their saga contexts; see n. 8, above.

performance which confer 'official' status upon the poems' claims. It is, on the other hand, impossible to know whether the Old English chronicle poem had any existence, oral or written, outside the Chronicle manuscripts in which it has been preserved. *Brunanburh* opens with *her* 'in this year', the formulaic opening of many of its surrounding annals, and this embeds it into its Chronicle context. However, the poem does not *require* this word to fulfil the metrical demands of the Old English long line, and it has therefore been suggested that *her* may have been added when the — pre-existing — poem was incorporated into the Chronicle.[21] The number of linguistic features which distinguish the language of *Brunanburh* from its surrounding annals go some way toward supporting the idea of an independent existence for this poem.[22] A number of scholars have imagined that it was performed at the West Saxon court, before Athelstan,[23] in which case there are the same grounds for assuming official approval for *Brunanburh* as for the skaldic poems. Circumspection, however, is advisable, and it is therefore difficult to make statements about the poem's 'original' audience, or indeed its precise relation to its royal subject. However, one thing that we can be certain of is that *Brunanburh* circulated as the Chronicle did: whatever we make of the origins of the Chronicle, whether we see them as private and localized or Alfredian and propagandistic,[24] by the mid-tenth century, when *Brunanburh* appears, the Chronicle cannot be seen as anything other than an official West Saxon version of events.[25] Thus, the poem has a similarly official nature to skaldic

[21] Campbell, *Brunanburh*, p. 36, n. 2; this suggestion was accepted by Matthew Townend, 'Pre-Cnut Praise Poetry', p. 352.

[22] Campbell, *Brunanburh*, pp. 8–13; *Ms A*, pp. clii–cxlvi.

[23] See, for example, T. A. Shippey, *Old English Verse* (London: Hutchinson 1972), p. 186; C. N. L. Brooke, *The Saxon and Norman Kings* (London: Batsford 1963), p. 132; performance at the West Saxon court is implied also in Townend, 'Pre-Cnut Praise Poetry', pp. 356 and 361. Simon Walker argues for a Mercian provenance (Worcester), and a date of *c.* 940 for the poem: 'A Context for "Brunanburh"?', in *Warriors and Churchmen in the Middle Ages: Essays Presented to Karl Leyser*, ed. by Timothy Walker (London: Hambledon, 1992), pp. 21–41.

[24] Sir Frank Stenton, for example, saw the impetus for the compilation of the Chronicle to 891 as most probably private, the behest of an ealdorman of the south-west; 'The South-western Element in the Old English Chronicle', in *Essays in Medieval History Presented to Thomas Frederick Tout*, ed. by A. G. Little and F. M. Powicke (Manchester: [n. pub.; printed for the subscribers], 1925), pp. 15–24.

[25] The poem was copied into the various manuscripts of the Chronicle at the following dates: MS A *c.* 950; MS B 977x978; MS C, *c.* 1045; and MS D in the late eleventh century.

poetry in that it must represent an approved take on historical events in a form that could be widely circulated.

The three Anglo-Latin poems on Athelstan are more various in kind than either the English- or Scandinavian-language poems, but each can also be considered as official public discourse. The earliest, on Athelstan's 'consulship', seems to be an occasional poem of a very public nature, and Judith Jesch has pointed out that its apostrophe and verb forms — second-person and present-tense — may suggest a performance context similar to that of skaldic poetry.[26] In the case of 'Carta dirige gressus', the circumstances of composition as reconstructed by Michael Lapidge are those of Athelstan's itinerant court after the three enemy leaders vowed allegiance to him *æt Eamotum* on 12 July 927. Peter, the poem's author, addresses Athelstan's household at the royal burh in Winchester and enumerates the intended recipients: 'ad reginam, clitonem, | claros quoque comites, | armigeros milites' (to the queen, the prince, | the distinguished ealdormenn as well, | the arm-bearing thegns). The poem's public nature is further confirmed by its twofold preservation in the late tenth, or early eleventh, century at widely distant scriptoria.[27] 'Rex pius Athelstan' is of a different order: as a record of Athelstan's generosity, it would have been added to the manuscript (a continental gospel book of the late ninth or early tenth century, now London, British Library, Cotton Tiberius A. II) by a Canterbury scribe after Athelstan had donated the book to the monastery of Christ Church. The vision of Athelstan both derives from, and is directed at, the Canterbury monks, the beneficiaries of his royal munificence. It is undoubtedly designed to portray him in light which would find favour both with Athelstan's monkish subjects and with the King himself. Although it does not emanate from the royal court, it functions as an illuminating comparandum to the court products.

With the probable exception of 'Rex pius Athelstan', the poems composed on Athelstan emanated from, or were approved by, the royal court, and the representations of power therein may be termed *official*. They circulated beyond these centres, spreading their message outside the royal courts. However, to function *effectively* as a discourse of power, a text must be produced in such a way

[26] Jesch, 'Skaldic Verse in Scandinavian England', p. 320.

[27] The poem was added to Durham, Cathedral Library A. II. 17, pt 1, at Chester-le-Street, and to the first quire of London, British Library, Cotton Nero A. II in 'furthermost Wessex': Lapidge suggests St Germans as the most likely place of origin, with Sherborne and Exeter as other possible candidates: 'Some Latin Poems', pp. 73–74. As neither version is a copy of the other, further (lost) copies must be assumed.

as to be accepted as true by its audience. The public mode of delivery of skaldic praise poetry fulfils this condition. It assumes an audience — albeit a rather limited one — in the know, which guarantees that the poet does not stray too far from the historically verifiable. In the often-cited words of Snorri Sturluson,

> Tǫkum vér þat allt fyrir satt, er í þeim kvæðum finnsk um ferðir þeira eða orrustur. En þat er háttr skálda at lofa þann mest, er þá eru þeir fyrir, en engi myndi þat þora at segja sjálfum honum þau verk hans, er allir þeir, er heyrði, vissi, at hégómi væri ok skrǫk, ok svá sjálfr hann. Þat væri þá háð, en eigi lof.[28]
>
> (We take all that to be true which is found in these poems about their [the rulers'] campaigns or battles. It is the practice of skalds to praise the highest, those whom they are before, but none should dare to tell them in their presence about deeds, which all who were there listening, as well as the leader himself, knew to be falsehood and invention. That would be mockery and not praise.)

While it is the performance context that confers truth-value upon skaldic verse, for *Brunanburh* it is the preservation context that fulfils this function. Just as cold print 'lends a kind of impersonal authority even to stupidity',[29] so the writing down of these poems on valuable vellum, more-or-less contemporaneously, must have validated their content. More specifically, the inclusion of *Brunanburh* in what is, on the whole, a rather terse series of tenth-century annals would have helped to give it the guise of factual representation. The Latin poems are explicit in referring to their provenance: the poem dating from Alfred's reign encodes the name of its author in its acrostic structure; 'Carta dirige gressus' gives an account of its intended progress from Athelstan, to the courier Peter, to the royal court; and the circumstances of the composition of 'Rex pius Athelstan' are similarly explicit. Each group of poems, in its own way, constructs itself as an authoritative text that should be held as true by its audience.

There is little doubt that our Anglo-Scandinavian poems can be termed discourses of power, with features that allow them to function as powerful legitimate statements: they are produced under the control of a political power centre; and each is generically acceptable in a traditional form and composed with techniques that are accorded value within each particular context. In this paper, therefore, it is assumed that the Anglo-Scandinavian verse may serve a more active function than that of simple record, celebration, or commemoration: it could

[28] Snorri Sturluson, *Heimskringla*, ed. by Bjarni Aðalbjarnarson, Íslenzk fornrit, 26–28, 3 vols (Reykjavík: Hið íslenzka fornritafélag, 1941–51), I, 5. Translations of the Old English and Old Norse texts are mine.

[29] William Faulkner, *Mosquitoes* (New York: Dell, 1927), p. 173.

promote power in a mould approved by the royal court, 'affirm[ing] the power of a living ruler, either to strengthen his hold on that power, or even to increase it'.[30] A poem could provide ideological support for the actions and ambitions of its subject, it could construct particular concepts of power that are seen as desirable, important, and politically useful. It has been written that skaldic praise poetry 'acquires the nature and function of an instrument for moulding public opinion, a medium of propaganda for the ruler's person and exploits':[31] this is true not only of the Scandinavian texts, but of the Old English and Latin texts as well.

Given the range of functions that such poetry may have, it is not surprising that we find it appearing, even flourishing, when realms of power have recently been extended: it may serve to promote a particular perspective upon that extension.[32] King Athelstan's reign, of course, represents just such a moment, with the West Saxon conquest and subsequent overlordship of much of England that had never before been controlled by Wessex. In what follows, the poetry associated with his reign is analysed in order to illustrate how texts in each language construct and promote different ideas of what it was to hold power at this particular time, both in terms of the nature of that power and its extent. Different notions of power are found, even though the poems are close in date and, in some sense, official court products.

'Carta dirige gressus' is the earliest of the poems dateable to Athelstan's reign. Dating from about 927, in the aftermath of the acknowledgement of Athelstan as overlord of Óláfr Sigtriggsson, Guðfriðr, and Constantine, it has one message for the West Saxon court: an insistence on a unified England under Athelstan. This, of course, is a pleasing fiction, but it is spin rather than realism at work here. Set between three stanzas of address are three informational stanzas (vv. 3–5), each detailing some aspect of this unity:

Quos iam regit cum ista	Whom he now rules with this
perfecta Saxonia:	England made whole:
uiuit rex Æthelstanus	King Athelstan
per facta gloriosus!	glorius through his deeds!

[30] Jesch, 'The Power of Poetry', p. 29.

[31] Folke Ström, 'Poetry as an Instrument of Propaganda: Jarl Hákon and His Poets', in *Speculum Norroenum: Norse Studies in Honour of Gabriel Turville-Petre*, ed. by Ursula Dronke and others (Odense: Odense University Press, 1981), pp. 440–58 (p. 445).

[32] See Townend, 'Pre-Cnut Praise Poetry', pp. 361–66, for a reading of the tenth-century as an 'Heroic Age': a period of 'political instability dominated by a warrior aristocracy' (p. 362), and which tended to produce praise poetry.

Ille, Sictric defuncto,	He, with Sihtric having died,
armat tum in prelio	in such circumstances arms for battle
Saxonum exercitum	the army of the English
per totum Bryttanium	throughout all Britain.
Constantinus rex Scottorum	Constantine, king of the Scots
aduolat Bryttanium:	hastens to Britain:
Saxonum regem saluando	by supporting the king of the English
fidelis seruito.	[he is] loyal in his service.[33]

The crucial phrase here is 'ista perfecta Saxonia' ('this England made whole' in Lapidge's translation), and in *perfecta* we have the senses of both completed and perfected. This seems to imply that the boundaries of this united England have always existed, waiting for Athelstan. The poem implies a previously imagined political entity and power base, 'England', toward which the Anglo-Saxons have been working: its achievement is the inevitable conclusion — a culmination rather than an advance. In other words, the poem encourages us to believe that the boundaries of power are pre-existent, waiting to be taken up. This is indeed an effective way to validate recently acquired power: it projects it back in time, gives it a history, thus making it seem a little less recently acquired. The poem is also quite specific about what such power comprises. It is military access 'per totum Bryttanium' (throughout all Britain), and acknowledgement of that power consists of unambiguous and public acknowledgement of sovereignty: the verb *aduolare* has Constantine flying toward Athelstan to declare allegiance.[34]

This can profitably be compared with the peculiarly Alfredian concept of what it is to hold power found in the much earlier poem to a very young Athelstan, the acrostic attributed by Lapidge to John the Old Saxon (ll. 4–7):[35]

[33] Lapidge, 'Some Latin Poems', pp. 77–78.

[34] *Aduolare* is an editorial conjecture in what is a problematic stanza: the manuscript (Cotton Nero A. II) has *et uelum*, and Lapidge reconstructs 'very tentatively'; see 'Some Latin Poems', pp. 77–78.

[35] Alfred's aims, and his linking of the *witu* 'punishments' of the Viking incursions with the lapse in learning, are set out in the preface to his translation of Gregory's *Cura Pastoralis* (*Sweet's Anglo-Saxon Reader in Prose and Verse*, 15th edn, rev. by Dorothy Whitelock (Oxford: Clarendon Press, 1967), pp. 4–7, translated in Simon Keynes and Michael Lapidge, *Alfred the Great: Asser's 'Life of King Alfred' and Other Contemporary Sources* (Harmondsworth: Penguin, 1983), pp. 124–26).

Laruales forti beliales robure contrA
Sape seges messem fecunda prenotat; iN
Tutis solandum petrinum solibus agneN.
Amplius amplificare sacre sophismatis ereE

([Standing] with mighty strength against devilish demons.
Often an abundant cornfield foretells a great harvest; in
peaceful days your stony mass is to be softened.
You are more abundantly endowed with the holy eminence of learning.)[36]

Here, exercising power over others is envisaged as stalwart resistance rather than humbling domination, and the basis of power is less military might than learning in peacetime. The 'others' are of course the Vikings, thinly disguised as *laruales beliales*, 'devilish demons', a constant threat during Alfred's lifetime. Belial is associated in Christian tradition with Satan, and Athelstan is thus to stand against figures characterized as enemies of God as well as of his homeland. The Alfredian tendency to identify the Vikings as heathens, and therefore in religious rather than ethnic or 'racial' terms, is evident here. Thus, working on the 'holy eminence of learning' — building up one's spiritual stock — is a fitting response to the Scandinavians' military challenge.

Compare both of these depictions of power with that presented in the opening of 'Rex pius Athelstan', which must date from between 929 and 939, but which fits most comfortably into a post-Brunanburh context (ll. 3–6):

quem Deus Angligenis solli fundamine nixum
constituit regem terrigenisque ducem,
scilicet ut ualeat reges rex ipse feroces
uincere bellipotens, colla superba terens.

(whom God set as king over the English, sustained by the foundation
of the throne, and as leader of [His] earthly forces,
plainly so that this king himself, mighty in war, might be able
to conquer other fierce kings, treading down their proud necks.)[37]

Here, Athelstan's military power is represented metaphorically as his physical might: power and violence meet in the image of the King, mighty in war, flexing his military muscle as he treads down the proud necks of other fierce kings. In fact,

[36] Lapidge, 'Some Latin Poems', pp. 60–61.

[37] Lapidge, 'Some Latin Poems', pp. 83–84.

the poem expressly states that this is Athelstan's very purpose as divinely sanctioned ruler. God established Athelstan as English ruler in order that he might do this, with the telling adverb *scilicet*, 'clearly' (lit., it is evident). Athelstan's actions mirror those of God as described by St Paul (Romans 16. 20): 'And the God of peace crush Satan under your feet speedily'.[38] The poem's fierce kings are thus demonized as they are in John's acrostic, but here, power over them is no longer defensive, but vividly imagined as imperialist, demanding subservience rather than allegiance. In fact, *ualeat* expresses something rather stronger than 'might be able': *rex ualeat uincere* could be translated 'the king thrives (or grows strong) as he conquers', which may suggest that the strength of a king is dependent upon his increasing the spread of his power.

This poem, if indeed it does post-date Brunanburh and belong to the final two years of Athelstan's reign, is more or less contemporaneous with both the Old English poem on Brunanburh, and Egill Skalla-Grímsson's fragmentarily preserved *Aðalsteinsdrápa*.

The content, if not the form,[39] of Egill's surviving lines is in many ways much less complex than that of 'Rex pius Athelstan', although it too presents the exercise of power as violent domination without resistance:

Nú hefr foldgnárr fellda	Now has the land-dominating battle-
— fellr jǫrð und nið Ellu —	increaser [warrior], chief descendant of
hjaldrsnerrandi, harra	kings, felled three princes; land falls
hǫfuðbaðmr, þría jǫfra.	under Ella's descendant.
Aðalsteinn of vann annat,	Athelstan did more; everything is lower
allt's lægra kynfrægjum	than the kin-famous king; this we swear,
hér sverjum þess, hyrjar	breaker of the fire of the wave [gold >
hrannbrjótr, konungmanni.	generous ruler].[40]

[38] Note also the various late antique and medieval depictions of Christ treading down bestial or serpent-like demons (see, for example, the mosaic depicting Christ treading down a snake from Archbishop Andrea's palace chapel, Ravenna (*c.* 500): <http://www.hp.uab.edu/image_archive/ulj/mosaic44.jpg>, University of Alabama at Birmingham, Images from History, accessed 26 November 2005). I am grateful to Elaine Treharne for this point.

[39] The form is *dróttkvætt*, a syllable-counting, alliterative, and (internal-)rhyming measure.

[40] *Hyrjar hrannbrjótr*, 'breaker of the fire of the wave': 'fire of the sea' is a common kenning for 'gold', and a breaker (distributor) of gold is a generous ruler (see Snorri Sturluson, *Edda*, trans. and ed. by Anthony Faulkes (London: Dent, 1987), pp. 95 and 114).

[refrain:]	
Nú liggr hæst und hraustum	Now the highest reindeer-road lies under
hreinbraut Aðalsteini.[41]	Athelstan

There is much in this fragment that is highly conventional, in skaldic terms. Athelstan is portrayed as a traditional treasure-distributor, with a noble lineage and an appetite for battle. The overall effect is quite different from the Latin poem's suggestion of boundless power overlaid with ideas of divine sanction and administrative strength. The effect here is that of a tableau, partly resulting from the present tense of most of the verbs, and the initial *nú* (now) in both stanza and refrain, which points to a particular moment in time. This tableau illustrates Athelstan's power in very specific spatial and hierarchical terms: the three princes are felled by the King; land falls under the King (who has done more than Ælle, King of the South Saxons and the first *bretwalda*)[42]; everything is lower than the King, even the highest reindeer-road is under him. Each clause repeats and builds upon the same image of Athelstan standing above all around him. It is static, and very effective in its simplicity. The same basic idea is propounded in both *Aðalsteinsdrápa* and 'Rex pius Athelstan', but expressed in different ways: the Old Norse poem, with its tableau effect, has a concrete monumental quality, simple and memorable, that the Latin poem lacks despite its vivid image of Athelstan treading on the necks of his enemies. What the Latin poem has that the Norse lines do not, on the other hand, is an explicit legitimizing element: God has placed Athelstan in this position of power. In what survives of Egill's *drápa* — and it must of course be stressed that it is only a fragment of the original — military power is a justification and an end in its own right.

The different conceptions of power make sense when considered in the light of the potentially different audiences of these poems. Old Norse skaldic poetry, with its complex syntax and recondite vocabulary, would be accessible only to highly competent speakers of Old Norse (and perhaps relatively few of them): to all but the most Norse-acculturated of Anglo-Saxons it would be wholly

[41] Nordal, *Egils saga*, pp. 146–47, with changes in punctuation.

[42] Athelstan is labelled *bretwalda* in a charter which translates 'rex et totius hujus Britanniae insule' as 'Ongolsaxna cyning [ond] brytaenwalda ealles thyses Iglandes' (S 427, the Electronic Sawyer <www.trin.cam.ac.uk/chartwww/eSawyer.99/eSawyer2.html>; W. de Gray Birch, *Cartularium Saxonicum*, 3 vols (London: 1885–99), II, nos 705–06; the charter is, however, preserved in twelfth-century manuscripts and in its received form has not inspired confidence in all of its modern readers).

unintelligible.[43] One would expect, therefore, a primarily Scandinavian audience for a skaldic poem, and probably an aristocratic rather than a peasant one.[44] For the Norse-speaking leaders of the Danelaw areas, recently subjugated but ready to rise again against their English overlord,[45] the message is clear: all who stand against Athelstan are felled by him. For a learned, Latin-literate English audience, and possibly a non–West Saxon one, the expansion of the West Saxon power base requires a different approach, an approach which, in 'Rex pius Athelstan', promotes the idea that Athelstan exercises divinely sanctioned power, and, in the earlier acrostic, constructs the idea of a pre-existent received notion of what comprises an 'ideal' England.

Unlike the Latin and Norse poems, which presuppose a particular kind of audience, *The Battle of Brunanburh*, if circulated in oral form or read out from a manuscript, could have been understood by all the English in England, West Saxon or otherwise. Considering the insistence upon a unified England presented in 'Carta dirige gressus', which predates *Brunanburh* by ten years, it is interesting to note that the Old English poem shuns any reference to England, despite the potential that its subject-matter offered. It seems to present Athelstan as leader of a united English force, although the poem does not explicitly state that the Mercians were fighting under Athelstan: the lines referring to the Mercians' 'heardes hondlegan' (hard hand-play, 25) may refer to the hostile response encountered by the invaders as they fled through English Mercia.[46] What is clear, though, is that the West Saxons and Mercians have a shared purpose and come together, no matter how informally, to expel the invaders. At the same time, the careful differentiation of 'Wesseaxe' (West Saxons, 20) and 'Myrce' (Mercians, 24) presents English England as a country of two halves. The home of Athelstan and Edmund is specifically detailed as 'Wesseaxenaland' (the land of the West Saxons, 59), and nowhere is Athelstan described as *Engla cyning*. Of course, it is

[43] Townend, 'Contextualizing', pp. 174–75.

[44] The question of how the poem travelled from Athelstan's court to a Scandinavian audience within England (and ultimately thence to Iceland) is an interesting problem. If we accept that Egill Skalla-Grímsson was present at Athelstan's court, even, as his saga claims, as part of the King's retinue, then we must accept that the presence of other Scandinavians — a potential audience and source of memorial transmission — is not unlikely. *Egils saga* states that many of Egill's men remained behind with the King after the skald left for Norway (chap. 55).

[45] As happened shortly after Athelstan's death, when Óláfr Guðfriðsson took York, and the following year the Five Boroughs.

[46] See R. I. Page, 'A Tale of Two Cities', *Peritia,* 1 (1982), 335–51 (p. 340).

certainly possible to see *Brunanburh* as presenting the case for Athelstan and Edmund as heirs to all England, but compared with the two Latin poems, and for a poem which has been described as 'an unrestrained song of triumph',[47] *Brunanburh* is positively modest in its claims about the extent of Athelstan's power. Furthermore, despite the fact that the poet cheerfully depicts chaotic flight and corpse-strewn battlefield, in comparison with both the Latin and Norse poems, the presentation of military power is nevertheless defensive rather than offensive: Athelstan and Edmund 'wiþ laþra gehwæne land ealgodon' (defended their land against each of the hated ones, 9). The only conquest explicitly described as such is that of the *Engle and Seaxe* who arrived on Britain's shores in the migration period: these heroes from ancient times 'eard begeatan' (seized the homeland, 73). Athelstan and Edmund are linked with these Germanic warriors through lexical repetition — the West Saxons 'cyþþe sohton' (sought their homeland, 58) just as the *Engle and Seaxe* 'Brytene sohtan' (sought Britain, 71) — but the link is implicit, unvoiced. A reader who examines the poem hoping to find that it gives voice to an unambiguous expression of offensive, expansionist power on the part of the West Saxon protagonists — as well it might, given the historical context of the mid-tenth century — will be disappointed, and in fact relatively few of the poem's lines are dedicated to describing the actions of Athelstan, his brother, and their followers: of the poem's seventy-three lines, only nineteen have the tenth-century English (individuals and group) as subject matter and grammatical subject.[48] However, *Brunanburh* does construct the victors as powerful and, indeed, offensively so, but relatively unobtrusively, through linguistic structure.[49] The invading Norse-Scots coalition is, in the main, the subject of intransitive verbs (verbs which do not take a direct object),[50] or passive-type constructions.[51] This gives the impression that the invaders do not do

[47] Dobbie, *Anglo-Saxon Minor Poems*, p. xl.

[48] Lines 1–10a, 20b–25, and 57–59.

[49] The linguistic structure of *Brunanburh* is examined at greater length in my 'Words and Weapons: *The Battle of Brunanburh*', *Nottingham Linguistic Circular,* 15 (2000), 35–54.

[50] E.g., 'Hettend crungun' (the hated ones perished, 10); examples of intransitive verbs can be found in lines 10, 12, 17, 28, 35, 37, 39, 44, 47, 52, 53.

[51] By passive-type, I refer to a form of *beon/wesan* followed by the past participle (32, 33, 41, 42). The use of *licgan* followed by participial adjective (17, 28) is a parallel construction: the functional similarity of *licgan* with *wesan* with regard to concord is noted in Bruce Mitchell, *Old English Syntax*, 2 vols (Oxford: Clarendon Press, 1985), §33, 16. Modern English grammarians class 'to lie' as a copula verb, similar to the verb 'to be'.

anything to anyone else: they fall, lie, yield, and depart; they are destroyed, put to flight, and deprived.[52] In short, they are denied an active role: the poet carefully crafts an image of impotence. Conversely, the West Saxon leaders and their supporters strike long-lasting glory (4), cleave the shield-wall (5), hew shields (6), defend land, treasure and homes (9–10), and so on. Their power lies in their ability to act effectively and decisively upon enemies, but this power does not impinge upon Mercian autonomy. Where the Norse and Latin poems depict an unremittingly offensive power which pays no heed to ancient boundaries, *Brunanburh* carefully circumscribes West Saxon power: having helpfully exercised defensive power within Mercia, in which they are aided either by Mercian fighters within an allied force or by the happy coincidence of common purpose, the King and the Prince nevertheless have a homeland to which they return. The poem can be read as preparing the ground for a future extension of power into Mercia, rather than as a consolidation of a victory which has already extended that power. *Brunanburh* begins to capitalize on the idea of useful, victorious, and, most importantly, *united* defence, and Athelstan and Edmund are gifted with qualities which make that defence possible: they perform their military duties 'swa him geæþele wæs from cneomagum' (as was natural for them from their ancestors, 7–8). Their claim to (future) power is legitimized both by their actions and their innate nobility; they are born to rule.

So, we have poems dating from roughly the same period, all emanating from or approved by Athelstan's court, but in different languages, and presenting significantly different conceptions of what it was for him to hold power at that particular moment. To Scandinavian ears, Athelstan's power is based upon an effective, offensive military machine, dominating land and men. To learned, Latin-literate eyes and ears, Athelstan's power over a united England is God-given, and the culmination and achievement of a pre-existing — almost a pre-ordained — idea. To English ears, Athelstan's military power is an ancestral given, but subtly encoded and, at least ostensibly, nonexpansionist. It is indisputably Wessex-based, even if welcome elsewhere on certain occasions.

Comparative work with Anglo-Scandinavian poems thus produces some interesting observations on their concepts of power, both in terms of varying approaches possibly motivated by ideas about different audience, and in certain shared features and aims. *Brunanburh*, owing to its greater length, has received the

[52] The invaders (as a group, and individuals) are the subject of only three transitive verbs: *gesohton [land]* ('sought land', 27), *generede [feorh]* ('preserved life', 36), and *forlet [his sunu]* ('abandoned his son', 42.)

lion's share of attention in the analysis — as for example it does in examinations of the Chronicle poems — but I aim to have shown that the Latin and Scandinavian verse has an important role to play in consideration of the literary history of an early-tenth-century England which can with some justification be termed Anglo-Scandinavian.

Power, Poetry, and Violence: *The Battle of Maldon*

Alice Jorgensen

The present article arises from a wider project on representations of Viking violence (chiefly literary representations). In the course of this research, it was necessary to consider theoretical questions about the relationship between violence and representation, and more specifically between violence and written texts. One important nexus between texts and violence is the place where both intersect with power: both textual production and violence can be means to and expressions of power. However, violence and texts produce power in different ways, such different ways that they confront us rather urgently with the knotty question of what power actually is. The present paper will use a reading of the poem *The Battle of Maldon* as an opportunity to explore the interaction of different *modes* within a fairly broad and flexible *concept* of power.[1] It will begin with some theoretical remarks on the relationships between power, violence, and texts, and then move on to discuss how violent and verbal modes of power are contrasted and related in *Maldon*. Not only is *Maldon* itself a text (a battle-poem) that represents violence, but it also gives notable prominence within its battle description to speech.[2]

[1] *The Battle of Maldon*, ed. by D. G. Scragg (Manchester: Manchester University Press, 1981).

[2] The prominence of speech in *Maldon* is stressed by Marie Nelson, '*The Battle of Maldon* and *Juliana*: The Language of Confrontation', in *Modes of Interpretation in Old English Literature: Essays in Honour of Stanley B. Greenfield*, ed. by Phyllis R. Brown, Georgia R. Crampton, and Fred C. Robinson (Toronto: University of Toronto Press, 1986), pp. 137–50, and Dolores Warwick Frese, 'Poetic Prowess in *Brunanburh* and *Maldon*: Winning, Losing, and Literary Outcome', in ibid., pp. 83–99 (pp. 91–94); see also Dolores Warwick Frese, '"Worda ond Worca": *The Battle of Maldon* and the Lost Text of Ælfflæd's Tapestry', *Mediaevalia*, 17 (1994 [for 1991]), 27–51.

The basic concept of power on which this discussion rests is that of the ability to act or to produce an effect.[3] The advantages of such a broad definition are particularly apparent in the work of feminist historians and anthropologists. In the context of research into women's lives and experiences, a definition of power that extends beyond the domination of others or even the achievement of goals helps to avoid false dichotomies between oppressors and powerless victims; it is a definition that directs attention to the variety of strategies by which people pursue their ends, and the many degrees of power available to agents.[4] While giving due place to agents and agency, this definition also allows space to the systemic forces that constrain the powers of individuals. Different cultures recognize different forms of political power, prescribe different criteria for authority ('a short cut around the system of power'),[5] and offer different symbolic and material resources.[6] A further advantage of a broad concept of power is that it is an opportunity for hopeful theoretical omnivorousness: the insights of thinkers from different ends of the theoretical spectrum can be adapted (though not simply adopted) in order to understand power as a phenomenon with numerous different modes. The terminology of modes is here itself adapted from Wolf's theory of political power, which proceeds from a Marxist emphasis on modes of production and divides power into four modes, including both the ability of one agent to prevail over another and systemic or structural power.[7] The

[3] See *The Oxford English Dictionary*, ed. by John Simpson and Edmund Weiner, 2nd edn (Oxford: Oxford University Press, 1989), s.v. 'Power', n., 1, B.I.1a, cited from *OED Online* <http://dictionary.oed.com/> (accessed 24 September 2005).

[4] See Pauline Stafford, 'Emma: The Powers of the Queen in the Eleventh Century', in *Queens and Queenship in Medieval Europe: Proceedings of a Conference Held at King's College London, April 1995*, ed. by Anne J. Duggan (Woodbridge: Boydell, 1997), pp. 3–23 (pp. 10–12); Caroline O. N. Moser and Fiona C. Clark, 'Introduction', in *Victims, Perpetrators or Actors? Gender, Armed Conflict and Political Violence*, ed. by Moser and Clark (London: Zed, 2001), pp. 3–12 (pp. 3–7); Mary Erler and Maryanne Kowaleski, 'Introduction', in *Women and Power in the Middle Ages*, ed. by Erler and Kowaleski (Athens: University of Georgia Press, 1988), pp. 1–17 (pp. 1–2). Of these I have found Stafford's discussion and works cited therein especially useful.

[5] Stafford, 'Emma', p. 12.

[6] Donald Kurtz, *Political Anthropology: Power and Paradigms* (Boulder: Westview, 2001), pp. 22 and 30–36, stresses the importance of control of resources in political power.

[7] Eric R. Wolf, 'Facing Power: Old Insights, New Questions', *American Anthropologist*, 92 (1990), 586–96, especially pp. 586–87; see also the summary of Wolf's ideas in Kurtz, *Political Anthropology*, pp. 27–28. Wolf here incorporates Max Weber's well-known definition of power as 'the probability that one actor within a social relationship will be in a position to carry out his

term is used here more loosely, as a way of associating means to power (here violence and textual production) with more abstract ideas about how power can work.

Violence is most easily fitted into an idea of power as something exercised by one person or group against another in order to secure their compliance. Steven Lukes's 1979 essay on 'Power and Authority' offers a useful discussion of this model, which he labels 'power as control'. According to Lukes, 'some take the prevailing of some men's wills over others', and thus overt conflict and resistance, as essential to power'.[8] Following this train of thought, violence entails overt conflict between opposed persons or groups who aim to gain their will through physical force. It is associated with physical strength and also with control over material resources: violence may be directed toward seizing or destroying others' goods, and success in violence may depend on superior access to nourishment and to weapon technologies.[9] According to David Riches, violence is essentially pre-emptive.[10] It wounds, inflicts pain, and destroys. It is about stopping people doing things or using things. Thus the power of violence is a negative, repressive kind of power, it belongs to the domain of bodies and materials, and it is to do with conflict and competition, especially political and economic competition, between persons or groups. In the realm of popular symbolism, violence is also strongly associated with individual agency: one need only think of that pre-eminent and highly individualistic (secret) agent James Bond.

own will despite resistance' (Max Weber, *The Theory of Social and Economic Organization*, trans. by A. M. Henderson and Talcott Parsons, ed. by and intro. by Talcott Parsons (New York: Free Press, 1947), p. 152.

[8] Steven Lukes, 'Power and Authority', in *A History of Sociological Analysis*, ed. by Tom Bottomore and Robert Nisbet (London: Heinemann, 1979), pp. 633–76 (p. 636). See also Randall Collins, *Theoretical Sociology* (San Diego: Harcourt Brace, 1988), pp. 153–63, on the theories of Lenski and Turner.

[9] For the role of ravaging and the problems of supply in medieval warfare, see Helen Nicholson, *Medieval Warfare: Theory and Practice of War in Europe 300–1500* (New York: Palgrave Macmillan, 2004), pp. 113, 122–130, and 134–35; Nicholas Hooper, 'The Anglo-Saxons at War', in *Weapons and Warfare in Anglo-Saxon England*, ed. by Sonia Chadwick Hawkes, Oxford University Committee for Archaeology Monograph, 21 (Oxford: Oxford University Committee for Archaeology, 1989), pp. 191–202 (pp. 193–95 and 197); Michael Prestwich, *Armies and Warfare in the Middle Ages: The English Experience* (New Haven: Yale University Press, 1996), pp. 245–62.

[10] David Riches, 'The Phenomenon of Violence', in *The Anthropology of Violence*, ed. by David Riches (Oxford: Blackwell, 1986), pp. 1–27 (pp. 5–7).

When we begin to consider the power of texts, however, it is natural in the current academic climate to turn to post-structuralist ideas about the way subjects and identities are constructed and constrained within language. Written texts partake in the constant circulation and redefinition of a culture's values, categories, and expectations. In Foucauldian terms, texts contribute to the workings of power/knowledge, the process by which power produces its objects by knowing them, ordering them under its analytic gaze, be that the scrutiny of the panopticon or of the confessional.[11] As Michael Mahon argues, this concept of power as productive of subjects and social relations represents a move away, which can be traced chronologically in Foucault's work, from seeing power as repressive, negative, or preventative.[12] Violence certainly has a place in Foucault's concept of power, but it becomes a kind of writing and the body under violence a kind of text: early chapters of *Discipline and Punish*, for example, show how the body of the criminal under the spectacular tortures of the *ancien régime* is 'inscribed' with the tale of its crimes.[13] Foucault's ideas about violence are insightful and have been richly stimulating for recent scholarship, but, bearing in mind that his concept of power stresses discourse above all, it is necessary to remind ourselves that at the heart of violence lie death, destruction, and silence. Elaine Scarry provides a corrective, contrasting the 'unmaking of the world' in torture and war with creative endeavours of all kinds.[14]

From Foucault and the wider climate of post-structuralism, therefore, we can take the idea that the power of texts is a productive power, a power to define, debate, shape, order, and know. Power in Foucault's model is not attached to persons so much as to the total linguistic and social system. Granted a theory of power in which power can be attributed to individual agents, texts emerge as a particularly well-studied site of interaction between systemic power and individual agency, as writers write and readers read within the channels — or at

[11] See Michel Foucault, 'Truth and Power', in *The Foucault Reader*, ed. by Paul Rabinow (Harmondsworth: Penguin, 1984), pp. 51–75; *Discipline and Punish: The Birth of the Prison*, trans. by Alan Sheridan (Harmondsworth: Penguin, 1977), pp. 25–30 and passim (on panopticism, see pp. 195–228); on confession, *The History of Sexuality*, I: *An Introduction*, trans. by Robert Hurley (New York: Pantheon Books, 1978), pp. 57–61.

[12] Michael Mahon, *Foucault's Nietzchean Genealogy: Truth, Power and the Subject* (Albany: State University of New York Press, 1992), p. 5.

[13] Foucault, *Discipline and Punish*, pp. 35–53.

[14] Elaine Scarry, *The Body in Pain: The Making and Unmaking of the World* (Oxford: Oxford University Press, 1985), pp. 19–23 and passim.

the 'horizons of expectation' — delineated by their culture's literary and social conventions.[15]

Texts and violence thus gravitate to opposite ends of the spectrum of power. Violence belongs to a mode of power that is negative or repressive, exercised by one person or group in order to gain the compliance of another. Texts exert a kind of power inhering in language and producing subjects and meanings. However, one does not have to be a dedicated Foucauldian to find connections as well as divergence between the two.

Recent work by historians and anthropologists has stressed that violence, even considered as a practice of control, predation, and pre-emption, is shaped by the discourses that surround it. Scholars as hard-headed as John Keegan and Guy Halsall stress that violence is a rule-bounded and culturally conditioned activity.[16]

Furthermore, as David Riches observes, violence is 'always liable to be contested on grounds of legitimacy'.[17] That is, people will always argue about who was right, who was wrong, who deserves to gain respect or prizes in the wake of violence, and who, indeed, is to be regarded as the winner, if there is one. The route from violence to power, therefore, is complicated by constantly debated ideas about how violence should be conducted, how it is to be interpreted and how one should behave afterward. As a concrete example, John Keegan discusses the cultural gulf between the Philhellenes and the Greek *klephts* concerning the aims and proper conduct of war. The Philhellenes wanted a decisive campaign against the Turks; the aims of the *klephts* were

> cocking a snook at authority in their mountain borderlands, subsisting by banditry, changing sides when it suited them, murdering their religious enemies when chance offered, parading in tawdry finery, brandishing ferocious weapons, stuffing their purses with unhonoured bribes and never, never, dying to the last man, or the first if they could help it.[18]

[15] For the 'horizon of expectation', see Hans Robert Jauss, *Towards an Aesthetics of Reception*, trans. by Timothy Bahti, intro. by Paul de Man (Brighton: Harvester, 1982), pp. 20–45. On the power relationship of writers and readers see also Jonathan Culler, *On Deconstruction: Theory and Criticism after Structuralism* (London: Routledge, 1982), pp. 64–83.

[16] John Keegan, *A History of Warfare* (London: Pimlico, 1994), p. 12; Guy Halsall, 'Violence and Society in the Early Medieval West: An Introductory Survey', in *Violence and Society in the Early Medieval West*, ed. by Guy Halsall (Woodbridge: Boydell, 1998), pp. 1–45 (pp. 11–12); Guy Halsall, 'Playing by Whose Rules? A Further Look at Viking Atrocity in the Ninth Century', *Medieval History*, 2 (1992), 2–12 (pp. 6–9).

[17] Riches, 'Phenomenon of Violence', p. 11.

[18] Keegan, *History of Warfare*, p. 11.

To the Philhellenes, *klepht* tactics did not seem to generate power, but to the *klephts* they did. The power of violence, then, is always entangled in the culturally specific discourses that circulate through texts. This brings me to my case-study.

The Battle of Maldon is a poem that exposes the tensions and the links between contrasting modes of power. Written in the wake of the defeat of an English force by Vikings at Maldon, Essex, in 991, it is an exercise in rethinking power and powerlessness. As various commentators have pointed out, *The Battle of Maldon* re-reads defeat as victory.[19] The poet recounts the death of the leader, Byrhtnoth, and the flight of a large part of the English force, but the latter part of the surviving text is a celebration of the courage of those loyal thegns who remain on the battlefield to die avenging their lord. *Maldon* gives us several different frameworks for exploring alternative notions of power and finding one that can survive physical destruction and defeat in battle. One is the contrast between contingent human power and the all-embracing power of God: as Byrhtnoth remarks before the battle, in a veiled challenge to an explicitly heathen enemy (ll. 55 and 81):

> God ana wat
> hwa þære wælstowe wealdan mote.
> (ll. 94–95)

(God alone knows who will be able to control the battlefield.)[20]

Another is the relationship of *mod*, courage or spirit, and *mægen*, physical strength, alliteratively counterpoised in two much-quoted lines:

> Hige sceal þe heardra, heorte þe cenre,
> Mod sceal þe mare, þe ure mægen lytlað.
> (ll. 312–13)

(The mind shall be the firmer, the heart the bolder, courage shall be the more, the more our strength diminishes.)

[19] Helen Phillips, 'The Order of Words and Patterns of Opposition in *The Battle of Maldon*', *Neophilologus*, 81 (1997), 117–28 (p. 121); D. G. Scragg, 'Introduction', in *Maldon* (see n. 1, above), pp. 1–56 (p. 36); Richard Hillman, 'Defeat and Victory in "The Battle of Maldon": The Christian Resonances Reconsidered', *English Studies in Canada,* 11 (1985), 385–95 (Hillman's view of Byrhtnoth as a Christ-like figure invites the same objections as those advanced by J. E. Cross to earlier arguments for a martyr-Byrhtnoth: see J. E. Cross, 'Oswald and Byrhtnoth: A Christian Saint and a Hero Who Is Christian', *English Studies,* 46 (1965), 93–109).

[20] All translations from Old English are my own.

Mod and *mægen* have been read as central to the meaning of *Maldon* by Norma J. Engberg,[21] and the relationship between inner courage and bodily strength is a recurring and crucial part of the discourse of heroic power in Old English poetry more widely.[22] In the present discussion, another framework for looking at alternative modes of power is explored, a framework marked out as a structural shift in the poem. *Maldon* starts by focusing on power as warrior achievement, the ability to demonstrate strength and successfully subdue enemies. The death of Byrhtnoth is the crux and turning point of the poem. It is the concrete image of the change in fortunes of the English force, which follows tactically from the flight of the cowards (no longer held to the field by their commander);[23] if Scragg is right that fifty to sixty lines are missing from the beginning of the poem and slightly more from the end, Byrhtnoth's death also falls more-or-less exactly halfway through.[24] After the death of Byrhtnoth, the remnants of the English force exercise a verbal power through their command of heroic speech.

The agenda of the first part of the poem is set in the exchange with the Viking messenger, which sets out the terms of the power struggle and expresses Byrhtnoth's confidence that he can prevail through violence.[25] Each side seeks what Steven Lukes labels the 'power of control', the power to make the other party comply to its will: the Vikings threaten violence if the English will not pay tribute and Byrhtnoth promises violence to reassert English superiority. At issue are the distribution of material goods, specifically gold, but also the political balance; Byrhtnoth declares that he is ready to defend 'Æthelredes eard' (Æthelred's land, l. 53). To accede to the Vikings' demand in this instance would have a wider implication of subjection to their plans. Byrhtnoth aims at a

[21] Norma J. Engberg, 'Mod-mægen Balance in *Elene*, *The Battle of Maldon* and *The Wanderer*', *Neuphilologische Mitteilungen,* 85 (1984), 212–26.

[22] See for example *Judith*, ed. by Mark Griffith (Exeter: University of Exeter Press, 1997), ll. 73–121; *Beowulf*, in *'Beowulf' and 'The Fight At Finnsburg'*, ed. by F. Klaeber, 3rd edn (Boston: Heath, 1950), ll. 1529–34; *Waldere*, ed. by F. Norman (London: Methuen, 1933), ll. 1–7.

[23] See Anthony J. Gilbert, 'The Ambiguity of Fate and Narrative Form in Some Germanic Poetry', *Yearbook of English Studies*, 22 (1992), 1–16 (pp. 14–15), on the flight of the cowards as the main tactical failure of the battle, despite the negative overtones of *ofermod* (l. 89).

[24] Scragg, 'Introduction', p. 4.

[25] On Byrhtnoth and the messenger, see Edward B. Irving, Jr, 'The Heroic Style in *The Battle of Maldon*', *Studies in Philology,* 58 (1961), 457–67 (pp. 460–61); T. A. Shippey, 'Boar and Badger: An Old English Heroic Antithesis?', *Leeds Studies in English*, n.s., 16 (1985), 220–39 (pp. 228–29); Nelson, '*The Battle of Maldon* and *Juliana*', pp. 138–40; George Clark, '*The Battle of Maldon*: A Heroic Poem', *Speculum,* 43 (1968), 52–71 (pp. 64–66).

pre-emptive violence that will stop the Vikings achieving their ends, and the signs of this violence are stout weapons, the symbols and extensions of a warrior's bodily strength:

> feallan sceolon
> hæþene æt hilde [...]
> Ne sceole ge swa softe sinc gegangan;
> us sceal ord and ecg ær geseman,
> grim guðplega, ær we gofol syllon.
> (ll. 54–55 and 59–61)

(the heathen must fall in battle [...]. You must not obtain treasure so easily; first point and edge must reconcile us, fierce battle-play, before we render tribute.)

The parley with the Viking messenger appeals to a conception of power that is repressive, concerned with imposing one's will, and exercised in the domain of bodies and materials. Byrhtnoth's absolute assurance that he can wield this power infects the mood of the poem and is reproduced in its diction and structure. The declaration that 'feallan sceolon | hæþene æt hilde' (the heathen must fall in battle, ll. 54–55) has almost a gnomic quality; the use of *sceal* (must), portrays the defeat of the Vikings as a necessity and something that is grounded in the moral and natural order. The heathen ought to be subjected to the Christian. The parley with the messenger is the first of three conflicts between English and Vikings, the second being the defence of the causeway and the third the battle itself. Byrhtnoth has the last word in the parley and the Vikings cannot cross the causeway until they are permitted to do so; the early part of the poem builds up a pattern of English victory.

The first half of the poem also conveys, in detailed descriptions of the fighting, an acute sense of warrior power as the marriage of a masterful will to physical strength. For example, here is an extract from one of these descriptions:

> Frod wæs se fyrdrinc; he let his francan wadan
> þurh ðæs hysses hals, hand wisode
> þæt he on þam færsceaðan feorh geræhte.
> (ll. 140–42)

(The warrior was wise; he made his spear pass through the fighter's neck, his hand guided it so that it reached the life in the sudden attacker.)

Passages like this are anchored in the physicality of violence. The body of the victim has solidity and spatial depth: it not only can be pierced but it contains different parts at different distances that have to be 'reached'. As Helen Phillips

shows in an insightful analysis, *Maldon* conveys a 'physical, muscular sense' of battle, describing combat movement by movement and focusing, in particular, on the hands that grip swords and fling spears.[26] In the passage quoted above, the power of violence is a matter not only of the penetration and subjection of bodies but of the precise execution of the warrior's intention. The grammatical extension of the act of violence, first into an infinitive with *lætan* and then into a consecutive clause, highlights causation, breaking down the moment of wounding into precise movements and their intended consequences.

Before the death of Byrhtnoth, then, *The Battle of Maldon* focuses on the power that is demonstrated in and attained through violence: bodily control and the coercion of others. After Byrhtnoth's death the loyal thegns no longer expect to secure the compliance of their enemies to their will because they no longer expect to win the battle. Nonetheless, they continue to claim a kind of power, firstly by stressing their continued courage, the overplus of *mod* by which they make up for diminishing *mægen*, and secondly by redefining their aim. By agreeing to desire vengeance rather than victory, the thegns reassert their ability to have their will prevail.

What is particularly interesting about the operation of power in the second half of the poem is the way it becomes centred on speech and on circulating discourse. After Byrhtnoth's death, in a series of five speeches, four in a continuous sequence with one later (ll. 209–24, 230–43, 244–54, 255–59, and 309–19), the loyal thegns construct for themselves a power that they cannot achieve through mastery in violence. Through them we are given new information about the events of the battle: for example, Offa tells us that the flight of the coward Godric has caused a rout by deceiving many into thinking it was Byrhtnoth who fled (ll. 237–43). The battle is recontextualized: the fight has previously been framed in terms of defence of territory and the obligation to vanquish the heathen, but Ælfwine refers instead to the vows of the hall and the need to show courage:

> Gemun[aþ] þe mæla þe we oft æt meodo spræcon,
> þonne we on bence beot ahofon,
> hæleð on healle, ymbe heard gewinn:
> nu mæg cunnian hwa cene sy.
>
> (ll. 212–25)

[26] Phillips, 'Order of Words', p. 121.

> (I remember the occasions when we often spoke at the mead, when we vaunted vows on the bench, heroes in the hall, about fierce war: now one can find out who is brave.)

The power exercised in these speeches is a power of knowing and defining. The thegns retell the story of the battle according to their agenda, selecting the information they wish to stress. They redefine success and failure in terms of the fulfilment or betrayal of vows. Their project is also one of self-definition: Ælfwine proudly proclaims his noble ancestry ('ic wæs on Myrcon miccles cynnes'; I was of noble kin in Mercia, l. 217), and Offa, cursing Godric, casts himself and his companions as opposites and enemies of the coward ('Us Godric hæfð [...] ealle beswicene [...] Abreoðe his angin'; Godric has betrayed us all [...] may his enterprise fail, ll. 237, 238, and 242).

The power stressed in the latter part of *The Battle of Maldon* is a power that operates through language and produces meanings. Moreover, it is not a power aimed by one party at another but circulated within a community and increased through co-operation. The loyal thegns build their new story incrementally, echoing and augmenting each others' words. Offa repeats Ælfwine's emotive image of the lord lying dead (ll. 232–23, echoing ll. 222–23) but turns his declaration of individual sorrow and resolution into a call for mutual encouragement in battle: 'min hlaford' (my lord, l. 224) is also 'ure hlaford' (our lord, l. 240). Leofsunu picks up the idea of refusing to flee (ll. 246–47, echoing ll. 220–22) and makes explicit the imperative of revenge (l. 248).[27] Offa and his comrades construct their own identities and stories, but they also partake in a wider circulation of values, narrative patterns, and roles that exert power over them. Both Ælfwine and Leofsunu refer to the reputable men ('þegenas', l. 220; 'stedefæste hælæð', l. 249) who must not have occasion to reproach them: these are reminders that the thegns' version of the battle is shaped by a culture that stresses reputation and prizes courage. The combatants' words are spoken with a view to the words of others, the tales that will be told of the battle.

The Battle of Maldon describes a shift between two different modes of power, violent and verbal. The two modes contrast strikingly. The first is coercive, destructive, and physical, the second co-operative, productive, and rhetorical. Verbal power substitutes for the power of violence as a radical alternative, a way of transforming defeat into its opposite. The discontinuity between these modes of power is marked by the crisis at the poem's centre. Byrhtnoth dies. Godric and

[27] For the differences as well as similarities between these speeches, see Scragg, 'Introduction', p. 36.

his followers flee. There is a moment of confusion and powerlessness when the English neither fight nor speak; the narrative eye view swings away from its close focus on Byrhtnoth, away from the battlefield and toward the forest.[28] However, the poem as a whole has a high degree of narrative coherence (more so than most other Old English poems).[29] It shows us links as well as tensions between verbal power and violence.

The second half of the poem contains structural echoes of the first. The first half divides roughly into two sections, each consisting of an exchange of speeches (the parley with the messenger, the negotiations over crossing the ford) followed by a passage of fighting. The sequence in which Ælfwine and his companions each speak and then advance to their deaths recapitulates this structure, though with description of the fighting now a very much smaller part of it. The loyal thegns themselves seek continuity between their experiences before and after Byrhtnoth's death. They develop a story of the battle which can incorporate that rupture and make sense of defeat, representing their fight for victory at the beginning of the battle and their self-defined heroism at its end as equally the product of loyalty to their lord and fulfilment of their boasts. Their stress on continuity masks the extent to which they move the poem toward a new mode of power. Thus, while pursuing power through speech, they make reference to verbal behaviours that have a well-established relationship to heroic violence: the making of vows, and the recounting of deeds, the perpetuation of a warrior's fame.

If anybody knew that violence is a rule-bounded activity embedded in discourse, the Anglo-Saxons did: this is evident from the prominence of oaths, boasts, and reputation throughout Anglo-Saxon heroic poetry. *Maldon* draws a contrast between speech and violence but it also shows them working side by side, in the first half of the poem as well as the second. Byrhtnoth is shown exhorting and admonishing his men and his reply to the Viking messenger is a finely honed piece of verbal aggression. According to Dolores Warwick Frese, Byrhtnoth is as much a 'wordsmith' as a 'warsmith'.[30] Another way in which the first half of *The Battle of Maldon* explores the interdependence of violence with other kinds of

[28] Frese, 'Poetic Prowess', p. 93, notes that the traitors 'flee wordless'.

[29] Carol Braun Pasternack argues that the structure of most Old English poems, including narrative poems such as *Beowulf* and *Judith*, is to be seen in terms of 'metonymically related movements' without 'syntactic connection' (*The Textuality of Old English Poetry*, Cambridge Studies in Anglo-Saxon England, 13 (Cambridge: Cambridge University Press, 1995), pp. 10–12 and 147–200 (p. 24).

[30] Frese, 'Poetic Prowess', p. 92.

power is in the attention it pays to knowledge and to the correct interpretation of action. The poem is full of people watching and interpreting each other's behaviour and being conscious that they themselves are being watched. Again, it is a misinterpretation, a crisis of knowledge, that leads so many to follow Godric in flight; they wrongly suppose him to be Byrhtnoth (ll. 239–40). The violence of *Maldon* is augmented and directed by words of exhortation and aggression, and it is always apt to issue in words of judgement and interpretation.

Yet there is a significant if unacknowledged change in the relationship between words and deeds in the first and second parts of the poem.[31] It amounts to a reversal of the direction of power. In the first part, deeds authenticate words. Byrhtnoth promises to meet the Vikings with violence, and he does. In the second half, the thegns purport similarly to be fulfilling their words with actions; but in fact words authenticate deeds. It is only by explaining and defining what they are doing that the thegns give any meaning to their final, doomed charges against the enemy.

In *The Battle of Maldon* we find portrayed the operations of two modes of power, the power of violence and a power exercised through speech. The poem traces both the tension and some links between the two. It is my hope that viewing *Maldon* from the perspective of a theoretical examination of power adds a further layer to the already rich and deep scholarship on its structure and meaning. Viewing power through *Maldon*, perhaps more importantly, clothes the theoretical abstractions of modes, concepts, prevention, production, and circulation in the more human and culturally specific terms of the Anglo-Saxon imagination: defence, defiance, vows, encouragement, and fighting 'þa hwile ðe he wæpna wealdan moste' (as long as he could wield weapons, l. 272). (We may note in this connection that the explicit emphasis in *Maldon* is very much on agency — masterful will and heroic choice;[32] the idea of systemic power is imported by the critic in analysing the role of discourses of reputation.) The final part of this paper will move from the relationship of speech and violence within the poem to the relationship of *The Battle of Maldon* itself, as a text, to historical and actual violence.

[31] Irving, 'The Heroic Style', p. 460, stresses the close connection between words and deeds in *Maldon*.

[32] On the importance of agency and heroic choice, see W. G. Busse and R. Holtei, '*The Battle of Maldon*: A Historical, Heroic and Political Poem', *Neophilologus*, 65 (1981), 614–21 (pp. 616–17); Frese, 'Poetic Prowess', p. 91; Phillips, 'Order of Words', pp. 118–19; Irving, 'The Heroic Style', pp. 464–65.

The question of how the poem relates to the historical battle is made very difficult by the scarcity of hard evidence as to date, authorship, and original audience. On the evidence of one word (the title *eorl* accorded to Byrhtnoth), John McKinnell argued for composition after 1016; also largely on one word (the name-element *byrht*) Donald Scragg has pointed to a date before 1000.[33] Such problems have not stopped scholars trying to answer the question.

An older seam of criticism, now apparently worked out, saw the poem as an all-but-journalistic report composed very soon after the battle; analyses along this line can establish no more than that the poem's account is not impossible, and they risk underestimating the elements of literary convention and art in the text.[34] More recent approaches have tended to look for parallels in other late–Old English texts and links to contemporary political issues, with those who accept (or conjecture) a late date choosing correspondingly late texts (the *Encomium Emmae Reginae*, in Earl R. Anderson's case).[35] These critics have shown convincingly that *Maldon* partakes in discourses of lordship and loyalty that were of long-standing importance in Anglo-Saxon society and surface in varying forms in the *Anglo-Saxon Chronicle*, *Beowulf*, the law codes, and elsewhere.[36] Whether or not one admits more detailed arguments connecting the poem to the strains exerted by escalating Viking raiding[37] or, specifically, to the concern with treachery and flight

[33] John McKinnell, 'On the Date of *The Battle of Maldon*', *Medium Ævum,* 44 (1975), 121–36; D. G. Scragg, '*The Battle of Maldon*: Fact or Fiction?', in *The Battle of Maldon: Fiction and Fact*, ed. by Janet Cooper (London: Hambledon, 1993), pp. 19–31 (pp. 27–28). See also Scragg, 'Introduction', pp. 23–28; Cecily Clark, 'On Dating *The Battle of Maldon*: Certain Evidence Reviewed', *Nottingham Medieval Studies,* 27 (1983), 1–22.

[34] Examples of the literal school of interpretation include Warren A. Samouce, 'General Byrhtnoth', *Journal of English and Germanic Philology*, 42 (1963), 129–35; O. D. Macrae-Gibson, 'How Historical Is *The Battle of Maldon*?' *Medium Ævum,* 39 (1970), 89–107; E. V. Gordon, *The Battle of Maldon*, 2nd edn, reprinted with corrections (London: Methuen, 1954), pp. 1–9. For an intriguing light on literal readings shed from outside literary criticism, see George and Susan Petty, 'A Geological Reconstruction of the Site of the Battle of Maldon', in *The Battle of Maldon*, ed. by Cooper (see n. 32, above), pp. 159–69.

[35] Earl R. Anderson, '*The Battle of Maldon*: A Reappraisal of Possible Sources, Date, and Theme', in *Modes of Interpretation* (see n. 2, above), pp. 247–72.

[36] See especially John M. Hill, *The Anglo-Saxon Warrior Ethic: Reconstructing Lordship in Early English Literature* (Gainsville: University Press of Florida, 2000). On lordship in the *Chronicle*, see now Alice Sheppard, *Families of the King: Writing Identity in the 'Anglo-Saxon Chronicle'* (Toronto: Toronto University Press, 2004).

[37] Busse and Holtei, '*The Battle of Maldon*', p. 614.

exhibited in the Æthelredian section of the *Chronicle*,[38] *Maldon* connects to contemporary military matters: bonds between men and lords lay at the heart of late-Anglo-Saxon military organization.[39] *The Battle of Maldon* thus clearly fits into the kind of relationship of text and violence earlier extrapolated from the work of Keegan, Halsall, and their ilk, discourse building cultural norms of violence and providing interpretation and evaluation. The poem assigns the battle a meaning in terms of loyalty, heroism, and cowardice. It evaluates the behaviour of the combatants (a small black mark for Byrhtnoth, a much bigger one for Godric) and assesses the battle as a material defeat but a moral victory for the English. Though focusing chiefly on individual heroic encounters rather than tactical principles, the poem reinforces the cultural expectation of leadership from the front line and the maintenance of the shield-wall, both evident in the best-documented battle of the period, Hastings.[40] With respect to a particular battle and the practice of warfare more generally, *Maldon* exerts the power of texts to define, debate (against rival accounts in the *Anglo-Saxon Chronicle*, the *Vita Oswaldi*, the *Liber Eliensis* and elsewhere), shape, order and know.[41]

The poem itself offers a telling image of the power of the poet. As Ute Schwab points out, the first of the loyal thegns, Ælfwine, speaks of himself in the past tense, 'as if he were already dead': 'ic wæs on Myrcon miccles cynnes' (I was of noble kin among the Mercians, l. 217).[42] The voice of the character and the voice of the narrator converge; Ælfwine speaks from the perspective of the poet, looking back on the battle after the event, and we are reminded that the poet speaks

[38] Jonathan Wilcox, '*The Battle of Maldon* and *The Anglo-Saxon Chronicle*, 979–1016: A Winning Combination', *Proceedings of the Medieval Association of the Midwest*, 3 (1996 [for 1995]), 31–50.

[39] Richard Abels, *Lordship and Military Obligation in Anglo-Saxon England* (Berkeley: University of California Press, 1988).

[40] Richard Abels, 'English Tactics, Strategy and Military Organization in the Late Tenth Century', in *The Battle of Maldon, AD 991*, ed. by D. G. Scragg (Oxford: Basil Blackwell, 1991), pp. 143–55, draws parallels between the battle as described in the poem and Hastings: on the shield-wall, pp. 149 and 152; on leadership from the front, p. 151. On Hastings, see also Jim Bradbury, *The Battle of Hastings* (Stroud: Sutton, 1998), pp. 158–211.

[41] For texts of other accounts of Maldon, with comment, see Janet Bately, 'The *Anglo-Saxon Chronicle*', in *The Battle of Maldon, AD 991* (see n. 39, above), pp. 37–50; Michael Lapidge, 'The *Life of St Oswald*', in ibid., pp. 51–58; Alan Kennedy, 'Byrhtnoth's Obits and the Twelfth-Century Accounts of the Battle of Maldon', in ibid., pp. 59–78.

[42] Ute Schwab, '*The Battle of Maldon*: A Memorial Poem', in *The Battle of Maldon*, ed. by Cooper (see n. 32, above), pp. 63–85 (p. 83).

through, or rather for, Ælfwine. In an overwhelmingly anonymous and traditional corpus where the author often seems not so much dead as unborn, it is an image of the *agency* of the poet: exercised, like Ælfwine's, alongside that of encouraging companions (the poem must surely have been influenced by its unknown patrons), governed by powerful norms, but making an individual (interpretative) choice in the face of battle. After all, it is only this text that gives us quite this version of the much-narrated 991 defeat at Maldon.

On the other hand, the poet-as-Ælfwine returns us to the structural break between violence and speech in *The Battle of Maldon*. Ælfwine speaks as he does because Byrhtnoth is dead. The power of violence, the power to impose one's will on the adversary through physical force and damage, has turned against the English, and the power of speech is a second best. Similarly the poet speaks for Ælfwine because Ælfwine is dead.[43] The past tense in Ælfwine's speech is a sign of the loss and the silence produced by this episode of violence; the poem can fill the silence but the dead remain dead (and the gold goes to the Vikings). The structural break in *Maldon* is a necessary reminder of the profound difference between the power of violence and the power of texts. Ideas about norm-building and evaluation, or indeed fulfilling of boasts and reputation, suggest seamless circulation and interchange as discourse issues in violence and violence issues in discourse. But the moment of unravelling at the heart of the poem shows us that the relationship is at the same time radically discontinuous: a matter of substitution in gaps.[44]

[43] Schwab argues that the purpose of the poem is to transmit the *memoria* of the dead warriors and that the speeches of the thegns amount to a 'funeral "service"' ('A Memorial Poem', pp. 80–84 (p. 83)).

[44] Relevant here is Sarah Foot's argument that the historical writings of Alfred's reign supply gaps in the memory of the past caused by the disruption and destruction of religious communities in the ninth century: Sarah Foot, 'Remembering, Forgetting and Inventing: Attitudes to the Past in England at the End of the First Viking Age', *Transactions of the Royal Historical Society*, ser. 6, 9 (1999), 185–200.

THE POWER OF DOCUMENTS: THE CURIOUS CASE OF *LAUDABILITER*

Anne J. Duggan

> In the year of the Lord MCLXX, at the false and wicked representation of King Henry of England [...] Pope Adrian, your predecessor [...] did in fact, but unfairly, confer upon that same Henry [...] this lordship of ours by a certain form of words.
>
> —*Domnall O'Neill and Other Irish Princes to Pope John XXII, 1317/18*[1]

Historians quite rightly attach great importance to the written word. After all, without it there would be little history, as we understand it; and documentary sources are particularly highly regarded. Charters and deeds are deemed more reliable and therefore more authoritative than narrative records. This belief reflects the significance with which they were (and are) invested by the men and women who caused them to be drawn up, often with considerable solemnity. Evidence of their status in the medieval West is abundant. Clauses like:

> Sciant presentes et futuri [...]; ut hec concessio nostra firma et stabilis in perpetuum permaneat, eam presenti scripto et sigillorum nostrorum appositione roboravimus.
>
> (Let all persons present and future know [...]; that this our grant may endure fixed and stable for ever, we have confirmed it by this present writing and the attachment of our seals.)[2]

[1] From the so-called 'Remonstrance' of the Irish princes: see below, nn. 19 and 62.

[2] Virtually any monastic cartulary is full of deeds that begin in similar form: see *Reading Abbey Cartularies*, ed. by Brian R. Kemp, 2 vols, Camden, ser. 4, 31 and 33 (London: Royal Historical Society, 1986–87), I, 395, no. 523, a grant to Reading Abbey by William de Pikeshulle and his wife, Alice, 1200 × 1213. Note that husband and wife each had a seal.

and:

> ut hec nostra concessio ac donatio rata sit et stabilis nec posterius aliquando possit in dubium revocari, presentem paginam sigillorum nostrorum appositione confirmavimus.
>
> (that this our grant and gift may be confirmed and stable and cannot some day later be called into doubt, we have confirmed the present page by the attachment of our seals.)[3]

leap from the pages of every cartulary or book of deeds. They express belief in the power of the written word to survive the ravages of time; to remain constant where human memory — and the transmission of memory from one generation to another — is often frail and faulty. Recognition of the need for a more enduring record which later generations would recognize explains the apparent explosion of written instruments from the late eleventh century onward,[4] the insistence on regular confirmations by recognized authorities (popes, kings, bishops), and the invention of the *inspeximus*, where a later officeholder inspected and confirmed and solemnly recapitulated the *actum* of his predecessor.[5] Notaries public were licenced to draw up original documents,[6] or to make authentic duplicates (exempla) of existing documents, both of which could be used in a court of law.[7]

[3] *Reading Abbey Cartularies*, II, 118–19, no. 839 (p. 119), a grant by the abbot and brethren of Reading Abbey, 1186 × 1213.

[4] The difference is one of scale. Written instruments of every kind were in common use across Europe well before 1100: see Patrick J. Geary, *Phantoms of Remembrance: Memory and Oblivion at the End of the First Millennium* (Princeton: Princeton University Press, 1994), especially pp. 13–15 and 98–114.

[5] For example, *Cartulary of the Priory of St. Gregory, Canterbury*, ed. by A. M. Woodcock, Camden, ser. 3, 88 (London: Royal Historical Society, 1956), nos 11, 192, 219, and 220. For the earliest royal form (1175), see Nicholas Vincent, 'King Henry II and the Monks of Battle: The Battle Chronicle Unmasked', in *Belief and Culture in the Middle Ages: Studies Presented to Henry Mayr-Harting*, ed. by Richard Gameson and Henrietta Leyser (Oxford: Clarendon Press, 2001), pp. 264–86 (pp. 270–71); cf. Nicholas Vincent, 'The Charters of King Henry II: The Introduction of the Royal Inspeximus Revisited', in *Dating Undated Medieval Charters*, ed. by Michael Gervers (Woodbridge: Boydell & Brewer, 2000), pp. 197–220.

[6] See the declaration by the official who drew up Count Odo di Poli's grant (below, at n. 15): 'Ego Astaldus Domini gratia sancte Romane Ecclesie scrinarius, sicut rogatus fui et vidi et audivi, scripsi, complevi et absolvi (I, Astaldo, by the Lord's grace, archivist of the Holy Roman Church, drew up, wrote down and completed [this document] exactly as I was asked and saw and heard').

[7] The notarial profession was already well established by the beginning of the twelfth century in areas influenced by Roman civil law (Provence, northern Italy), and it was encouraged by Pope Alexander III's *Super eo quod*, addressed to Bishop Roger of Worcester in September 1167 × 1169,

Grants and leases of every kind were recorded in written form on pieces of parchment (*cartae*) and later on paper; and various devices for ensuring authenticity were invented: the attachment of seals; the naming of witnesses; the making of multiple exempla, so that each party could have an authentic copy of the deed; and the ingenious chirograph, where two exact copies were written on a single sheet of parchment and then divided into separate documents by means of a zigzag cut, so that their authenticity could be proved by reassembling the original, rather as one assembles a jigsaw puzzle.[8] The spread of lay literacy in England is rightly seen, in part, as a consequence of the fever of record keeping which filtered down from the royal administration to the general population;[9] but international trade created the same need. Merchants needed account books and contracts and letters of credit; moneylenders, whether Jewish or gentile, needed written bonds, and debtors required receipts.[10] All such written records were

which declared that if the named witnesses are dead, original documents (*scripta authentica*) have no validity, unless they were drawn up *per manum publicam* (notary public) or had an original seal (*authenticum sigillum*) by which their authenticity could be proved: *X* 2.22.2 = *Decretales Gregorii IX*: *Corpus Iuris Canonici*, II, ed. by E. Friedberg (Leipzig: Tauchnitz, 1881); Mary G. Cheney, *Roger, Bishop of Worcester 1164–1179: An English Bishop of the Age of Becket* (Oxford: Clarendon Press, 1980), p. 364, no. 91 (f); Gundula Grebner, 'Kultureller Wandel und Generationswechsel: Bologneser Notare vom 11. und 12. Jahrhundert', *Historische Zeitschrift*, 36 (2003), 25–41; Christopher R. Cheney, *Notaries Public in England in the Thirteenth and Fourteenth Centuries* (Oxford: Clarendon Press, 1972).

[8] *Cartulary of the Priory of St. Gregory*, nos 34, 84, 115, 188, 202, 214, 215, 219, and 220; Appendix I, nos 2, 6, and 7. For a very imposing example of a chirograph, see George F. Warner and Henry J. Ellis, *Facsimiles of Royal and Other Charters in the British Museum*, I: *William I: Richard I* (London: British Museum, 1903), p. 67; cf. M. G. Cheney, *Roger of Worcester*, Plate I (facing p. 228). Even more elaborate was the manner of recording final concords (settlements) made before royal justices at Westminster from 1195 onward. The agreements were written in triplicate on a single piece of parchment, with the mirror-image chirograph at the top and the third copy, the 'foot of the fine', written at the bottom; then the document was divided by serrated cuts in such a way that the two parties to the transaction each received one copy, and the third was transmitted to the royal chancery, where the *pedes finium* (Feet of Fines) were preserved: see *Feet of Fines of the County of Lincoln for the Reign of King John 1199–1216*, ed. by M. S. Walker, Pipe Roll Society, n.s. 29 (London: Pipe Roll Society, 1929).

[9] For which see the classic exposition by M. T. Clanchy, *From Memory to Written Record: England 1066–1307*, 2nd edn (Oxford: Blackwell, 1993), pp. 44–80 and 224–52.

[10] See the receipt issued in late 1181 by Aaron of Lincoln and Benedictus Grossus, son of Pucella, to the men of Barton upon Humber, for the repayment of ten pounds and ten shillings sterling: London, British Library, Addit. Charter 1250, illustrated in *Encyclopedia Judaica*, 16 vols (Jerusalem: Encyclopedia Judaica, 1971–72), IV (1971), 166: 'And therefore we have drawn up

devised to carry authority, in that they were intended to be legally enforceable. They took the place of the vocal command, the spoken promise, the oral gift, and, unlike the sounds of the human voice which articulated them, they did not pass away; they did not cease to exist when their speakers and hearers died or were not present. It was the written word's durability that conferred its power. It made permanent what would otherwise be transient.

This concept is as ancient as writing itself. The scribes of Pharaonic Egypt regarded writing as a sacred art. Letters — literally hieroglyphs, 'the god's words' — had been invented by the god Thoth, who 'was in command of all the sacred books in the House of Life',[11] when he gave form to the words of Ptah of Memphis, the creator God. Letters allowed the dead to speak to the living by means of elaborate narratives carved or painted in tombs,[12] and they permitted the Pharaoh to make his power known in distant places by the erection of *stelae* which bore inscriptions of his mighty works.[13] The power of letters consisted both in their permanence and in their capacity to be re-read and, more importantly, reiterated — spoken again, and heard again, by other voices and other ears.[14] And each time they were seen, or read, or heard, they evoked not only the voice but the authority of their author — or their supposed author.

The perception of the written record as a permanent surrogate memory whose power of recall could not fail was neatly expressed by the southern Italian count, Odo II of Poli, in the preamble of a deed drawn up on 17 January 1157:[15]

> memoria gestarum rerum litteris commendetur, quatenus earum inspectione, omni oblivionis nube amota, veritas apud homines clarescere possit.

this our note as proof of it (Et ideo fecimus ei hoc nostrum breue in testimonium)'; see also the release, written in Hebrew, issued by Aaron of York, to Raoul de Beaufou and his heirs in 1253 (ibid., IV, 167 (London, Westminster Abbey, Muniment Room, WAM 6767).

[11] Hilary Wilson, *People of the Pharaohs: From Peasant to Courtier* (London: O'Mara, 1997), p. 76. I am grateful to Terri Natale for this and the following Egyptian references.

[12] Miriam Lichtheim, *Ancient Egyptian Literature*, I: *The Old and Middle Kingdoms* (Berkeley: University of California Press, 1975), p. 17 (inscription of Nefer-Seshem-Re, called Sheshi); pp. 18–23 ('autobiography of Weni'); pp. 23–27 ('autobiography of Harkhuf'); pp. 85–86 (first part of the 'autobiography of Ankhtifi').

[13] For example, the Boundary Stela of Sesostris III, now in the Berlin Museum, see Lichtheim, *Ancient Egyptian Literature*, pp. 118–20.

[14] On 'hearing' and 'seeing', see Clanchy, *From Memory to Written Record*, pp. 254–93.

[15] *Le Liber censuum de l'église romaine*, ed. by L. Duchesne and others, Bibliothèque des Écoles françaises d'Athènes et de Rome, ser. 2, 6, 3 vols (Paris, 1889–1952), II, 387–88, no. 101.

(the memory of important events should be entrusted to letters, since by their inspection the truth can shine forth among men, with every cloud of forgetfulness removed.)

Yet, despite Odo's touching faith, the written word was only as reliable as the man or woman who wrote it or copied it; and its very permanence created a powerful temptation for fraud. Just as a person may lie on oath, a scribe or chronicler may destroy, falsify, or forge documents, for good purposes or bad.[16] Medievalists are familiar with some of the more famous forgeries of the early Middle Ages — the Donation of Constantine, for example, or the 'forged decretals';[17] but there is one paradoxical monument of Anglo-Irish history that deserves to be added to the list of influential falsifications. This is the letter *Laudabiliter*, in which Pope Adrian IV is reputed to have granted the *dominium* of Ireland to King Henry II in late 1155 or early 1156.[18] Its authority was cited some time in late 1317 or early 1318 by the confederation of Irish princes led by Domnall O'Neill, King of Tir Eoghain, in the so-called 'Remonstrance' of the Irish princes. They prefaced their complaint to Pope John XXII about English misgovernment in Ireland with an

[16] See Geary, *Phantoms of Remembrance*, especially pp. 100–07. Not all forgery was meant to deceive. Updating in the sense of expressing in current language an ancient deed, or writing down what had been itself transmitted by a chain of memory from 'time immemorial' was often a necessary stage in the transition 'from memory to written record'. Even the construction of forged or falsified laws can be seen as a mechanism for legal change. See T. F. T. Plucknett, *The Legislation of Edward I* (Oxford: Clarendon Press, 1949), p. 17: 'falsification is at least a symptom, and perhaps sometimes a means, of legal change [...]. [T]he originators of these suspected texts must not be classified with the furtive fabricators of banknotes'; Peter Landau, 'Gefälchtes Recht in Rechtssammlungen bis Gratian', in *Kanones und Dekretalen. Beiträge zur Geschichte der Quellen des kanonischen Rechts*, Biblioteca Eruditorum, 2 (Goldbach bei Aschaffenburg: Keip, 1977), no. 1 (pp. 3*–41*; original pagination, 11–49) and the English summary, p. xvii: 'The phenomenon of falsification in the first millennium of the history of canon law must be understood from a functional point of view, as a means of developing the law as the falsifier largely replaced the law-giver and the law interpreters, or the jurists.' See the forged 'Investiture privileges' attributed to popes Hadrian I and Leo VIII, confected in the period 1085–1110 to support imperial claims: *Die falschen Investiturprivilegien*, ed. by C. Märtl, Monumenta Germaniae Historica, Fontes Iuris germanici Antiqui, in usum scholarium separatim editi, 13 (Hanover: Hahn, 1986).

[17] For the general phenomenon of forgery in the Middle Ages, see *Fälschungen im Mittelalter: Internationaler Kongress der Monumenta Germaniae Historica, München, 16.–19. September 1986*, ed. by Horst Fuhrmann, Monumenta Germaniae Historica, Scriptores, 33, 3 vols (Hanover: Hahn, 1988).

[18] For a reconstructed text, with translation, see the Appendix, below.

emotional summary of the supposed circumstances of its bestowal by the English pope:[19]

> In the year of the Lord MCLXX, at the false and wicked representation of King Henry of England, under whom and perhaps by whom St Thomas of Canterbury, as you know, in that very year suffered death for justice and defence of the church, Pope Adrian, your predecessor, an Englishman, not so much by birth as by feeling and character, did in fact, but unfairly, confer upon that same Henry [...] this lordship of ours by a certain form of words, the course of justice entirely disregarded and the moral vision of that great pontiff blinded, alas! by his English proclivities.

The 'certain form of words' was none other than *Laudabiliter*, a copy of which was enclosed with the letter; and John XXII inserted the same text, together with a copy of the princes' protest, in the letter which he in turn sent to King Edward II later in the same year (1318).[20] Setting aside the obvious chronological error in this statement (Adrian IV had died in 1159; Becket was murdered in 1170), the Irish protest was based on acceptance of the authenticity of *Laudabiliter*. Not only was it believed to confer sovereign power on the English Crown, but it was also cited and used by both sides in disputes about the conduct of English government in Ireland. Native and Anglo-Irish critics of English policy argued that the Crown had failed to keep its obligations under the grant; the English Crown and its administration used it to justify its right to rule Ireland.[21] Copies of *Laudabiliter* bounced backwards and forwards across the Irish sea. From the

[19] *Irish Historical Documents, 1172–1922*, ed. by Edmund Curtis and R. B. McDowell (London: Methuen, 1943; repr. London, 1968), pp. 38–46 (pp. 39 and 44); cf. *Scotichronicon by Walter Bower: In Latin and English,* ed. by D. E. R. Watt and others, 9 vols (Aberdeen: Aberdeen University Press, 1987–98), VI (1991), ed. by N. F. Shead, W. B. Stevenson, and D. E. R. Watt, pp. 386–87. Its authorship has been attributed to Michael Mac Lochlainn, OFM, later Bishop of Derry 1319–49, who may have been related to the Irish king and whose election to Armagh had been quashed in 1303: J. R. S. Phillips, 'The Remonstrance Revisited: England and Ireland in the Early Fourteenth Century', in *Men, Women and War*, ed. by T. G. Fraser and Keith Jeffrey, Historical Studies, 18 (Dublin: Lilliput Press, 1993), pp. 13–27 (pp. 19–20).

[20] *Vetera monumenta Hibernorum et Scotorum historiam illustrantia quae ex Vaticani, Neapolis ac Florentiae tabulariis deprompsit [...] Ab Honorio PP. III usque ad Paulum PP. III. 1216–1547*, ed. by Augustin Theiner (Rome: Vatican Press, 1864), p. 201, no. 422. The sending of the transcript to King Edward did not imply any papal endorsement of its authenticity, for John XXII was careful to call it the 'letter concerning the land of Ireland, which the said Adrian, our predecessor, is said to have granted [*concessisse dicitur*] to the same Henry, King of England'.

[21] J. A. Watt, '*Laudabiliter* in Medieval Diplomacy and Propaganda', *Irish Ecclesiastical Record*, 87 (1957), 420–32.

Irish side, it was the centrepiece of the so-called 'Remonstrance', quoted above;[22] from the other side of the political spectrum, it was quoted a few years later (1323–27), in the petition for the preaching of a crusade against Irish rebels which Andrea Sapiti, Edward II's proctor at the papal court in Avignon, drafted for the Irish justiciar, John Darcy.[23] And yet there is good reason to believe not only that what had circulated between England, Ireland, and the papal Curia did not say what its users thought it said, but also that the text so carefully copied and recopied was nothing other than a chronicler's reconstruction.

The document made its first appearance in Gerald de Barri's *Expugnatio Hibernica*, where it was inserted into the account of Alexander III's confirmation of Henry II's Irish lordship in 1172.[24] According to Gerald, King Henry sent envoys to Pope Alexander III carrying letters from the Irish archbishops and bishops and requested 'a privilege empowering him, with the pope's full authority and consent, to rule over the Irish people and, as it was very ignorant of the rudiments of the faith, to instruct it in the laws and disciplines of the church according to the usage of the church in England [*iuxta Anglicane ecclesie mores*]'. This 'privilege', *Quoniam ea*, was then sent to Ireland, where it was read out at a specially convened council at Waterford (1173), together with

> the other privilege [*Laudabiliter*] [...] which the king had formerly procured from Alexander's predecessor Adrian through the offices of John of Salisbury, afterwards bishop of Chartres, who had been sent to Rome for this purpose. By John's hand the aforesaid Pope Adrian also sent the king of England the present of a gold ring as a sign of his investiture, and this had been immediately deposited with the privilege in the archives at Winchester.[25]

Gerald then presented both texts verbatim, in chronological order, in such a way that the Alexandrine 'privilege' referred to and confirmed Adrian's: '[F]ollowing

[22] At n. 19. See J. R. S. Phillips, 'The Remonstrance of 1317: An International Perspective', *Irish Historical Studies*, 27 (1990), 112–29.

[23] Biblioteca Apostolica Vaticana, MS Barb. Lat. 2126, fol. 125^{r-v}; see J. A. Watt, 'Negotiations between Edward II and John XXII Concerning Ireland', *Irish Historical Studies*, 10 (1956), 1–20 (pp. 18–20). For the revised date and a more accurate version of the text, see Barbara Bombi, *Il registro di Andrea Sapiti, procuratore alla curia avignonese* (Rome: Viella, 2007), pp. 103–05, no. 11 (p. 104).

[24] *Expugnatio Hibernica: The Conquest of Ireland by Giraldus Cambrensis*, ed. and trans. by A. B. Scott and F. X. Martin, Irish Medieval Texts, 1 (Dublin: Royal Irish Academy, 1978), pp. 144–47; *Pontificia Hibernica*, I: *Medieval Papal Chancery Documents Concerning Ireland, 640–1261*, ed. by Maurice P. Sheehy (Dublin: Gill, 1962), pp. 15–16, no. 4.

[25] *Expugnatio*, pp. 142–47.

in the footsteps of the venerable Pope Adrian [...] we confirm and ratify his concession regarding the granting to you of dominion over the kingdom of Ireland.'[26]

Unfortunately, the confirmation attributed to Alexander III is generally considered to be a complete fabrication.[27] Not only is it contradicted by three genuine Alexandrine bulls of September 1172 relating to Irish affairs,[28] but its style does not conform to the *dictamen* of the papal Curia and its diplomatic *formulae* break the papal convention of addressing laymen (even kings) in the second-person singular.[29] So suspicious did the text appear that unnamed critics forced Gerald to omit *Quoniam ea*, both from *De rebus a se gestis* and from later recensions of the *Expugnatio*.[30] Far from being an authenticating support for Adrian's bull, *Quoniam ea* points an accusing finger in its direction. If Gerald could forge one papal letter, why not two, especially since none of the eight supposedly authentic documents which he presented in *The Conquest of Ireland* has escaped the suspicion of falsification, at least in part, and six have been branded as outright forgeries.[31] With such unreliable bedfellows as these, *Laudabiliter* appears distinctly vulnerable.

[26] *Expugnatio*, pp. 146–47: 'venerabilis Adriani pape vestigiis inherentes [...] concessionem eiusdem super Hibernici regni dominio vobis indulto.'

[27] But see the new argument of Dr Michael Haren: see below, n. 61.

[28] Below, at nn. 56–58.

[29] These were not matters of minor significance. Failure to conform to 'the style of the Roman church' was one of the grounds on which John of Salisbury declared 'suspect' the privileges presented by Abbot Silvester of St Augustine's Canterbury: see *The Historia Pontificalis of John of Salisbury*, ed. and trans. by Marjorie Chibnall, 2nd edn (Oxford: Clarendon Press, 1986), pp. 86–87: 'Ipsa tamen privilegia suspecta habeantur, tum quia concepta non erant in ea scribendi forma quam sequitur ecclesia Romana, tum quia.'

[30] *De rebus a se gestis*, II, 11 *(Giraldi Cambrensis Opera*, I–IV, ed. by J. S. Brewer; V–VII, ed. by James F. Dimock; VIII, ed. by George F. Warner, Rolls Series, 21 (London: Longman, Green, 1861–91), I, 62–63); *Expugnatio*, pp. lix–lxi.

[31] *Expugnatio*, pp. 278–82, especially p. 279: 'A strong argument can be made that Gerald was a forger, on the basis of two of those documents [ibid., pp. 27 and 146] and the four letters [ibid., pp. 55, 69, 71, 165].' *Laudabiliter* and the decrees of the Second Council of Cashel, 1172, come into the category of 'not fully accurate'. Professor Martin revised his opinion on *Laudabiliter* in 1987 in the light of Michael Richter's defence of its authenticity, but that defence is itself open to challenge: F. X. Martin, 'Diarmait Mac Murchada and the Coming of the Anglo-Normans', in *A New History of Ireland*, II: *Medieval Ireland 1169–1534*, ed. by Art Cosgrove (Oxford: Clarendon Press, 1987), pp. 43–66, especially pp, 57–58; Michael Richter, 'Giraldiana', *Irish Historical Studies*, 21 (1979), 422–37 (pp. 430–31).

Not surprisingly, in view of this peculiar circumstance and the importance attached to the document in later times, historians have debated the authenticity of Pope Adrian's grant for more than a century. Powerful voices have been raised in its defence,[32] yet nagging doubts remain.[33] In the first place, the structure of the document is unusual. Generally speaking, papal letters followed the contemporary epistolary mode, in which the opening statement (*arenga*) functioned as an

[32] Most writers on Anglo-Irish affairs have accepted its authenticity on the authority of Kate Norgate, 'The Bull *Laudabiliter*', *English Historical Review*, 8 (1893), 18–52: see J. F. O'Doherty, 'Rome and the Anglo-Norman Invasion of Ireland', *Irish Ecclesiastical Record*, 42 (1933), 131–45. Michael Richter, 'Giraldiana', *Irish Historical Studies*, 21 (1979), 422–37 (pp. 430–31). Maurice Sheehy published it from Chronicle sources in *Pontificia Hibernica* (see above, n. 24); see Maurice Sheehy, 'The Bull *Laudabiliter*: A Problem in Medieval Diplomatic and History', *Galway Archaeological and Historical Society Journal*, 29 (1961), 45–70 (p. 63), where he argues that *Laudabiliter* was not the papal *privilegium* itself but a separate letter of exhortation issued at the same time, on the analogy of Innocent III's *Sicut in Archa*, sent with the privilege *Rex regum*, which confirmed to King John and his heirs the kingdoms of England and Ireland: *Selected Letters of Innocent III Concerning England*, ed. and trans. by Christopher R. Cheney and W. H. Semple, Nelson Medieval Texts (London, 1953), pp. 168–70, no. 63, 4 November 1213. The problem with this theory is that *Laudabiliter* does not contain a parallel to the passage which named the envoys who had obtained the main privilege. Innocent's letter reads (ibid., p. 169), 'We have received your envoys on their arrival at the Holy See, namely, our venerable brother, John bishop of Norwich, and our beloved sons, Hugh abbot of Beaulieu, brother Alan Martel, and the noblemen Hugh de Boves and Peter de Maulay; and your petitions which they so prudently explained we have endeavoured to grant as far as we could with honour.' For the most recent defence of *Laudabiliter*'s authenticity, see Michael Haren, '*Laudabiliter*: Text and Context', in *Charters and Charter Scholarship in Britain and Ireland*, ed. by Marie T. Flanagan and Judith A. Green (Basingstoke: Palgrave-Macmillan, 2005), pp. 140–63, which came to hand through the kindness of Professor Vincent only after this paper was presented for publication. After an excellent review of more than a century of debate by English, Irish, and German scholars, Dr Haren concluded (pp. 146–47, following Norgate) that the document was indeed the letter obtained by John of Salisbury, and that John's disgrace in 1156 reflected, at least in part, the King's dissatisfaction with its terms (ibid., 148–49: citing Giles Constable, 'The Alleged Disgrace of John of Salisbury in 1159', *EHR*, 69 (1954), 67–76); and he put forward a novel interpretation of *Quoniam ea*: see n. 61, below.

[33] P. Scheffer-Boichorst, 'Hat Papst Hadrian IV. zu Gunsten des englischen Königs über Irland verfügt?', in *Gesammelte Schriften von Paul Scheffer-Boichorst*, Historische Studien, 42–43, 2 vols (Berlin: Ebering, 1903), I, 132–57; J. A. Watt, '*Laudabiliter* in Medieval Diplomacy', pp. 420, 432; J. A. Watt, *The Church and the Two Nations in Medieval Ireland* (Cambridge: University Press, 1970), pp. 36 and 40; *Expugnatio*, p. 279 (but see n. 31, above); I. S. Robinson, *The Papacy 1073–1198: Continuity and Innovation* (Cambridge University Press: Cambridge, 1990), pp. 311–12.

engagement of the recipient's goodwill (*captatio benevolentie*), or a statement of general principle, and the second echoed the petition or problem which had been referred to the pope (*narratio*).[34] There then followed the reply, judgement, or mandate (*dispositio*), more or less extended, followed by a conclusion, which sometimes echoed the *arenga*. But in *Laudabliter*, as presented by Gerald, the *narratio* of the King's desire (*velle intrare*) to enter Ireland to subject the people to the laws, and so forth, comes after an assertion of papal authority over islands in general and Ireland in particular. This sequence inverts the natural order of the letter. More serious, however, is the total absence of date. A full papal privilege (which *Laudabiliter* is not) would have recorded the names of the cardinals who witnessed its grant, followed by the so-called 'great date', in the form, 'Datum Beneuenti per manus Rollandi sanctae Romane ecclesie presbyteri cardinalis et cancellarii non. Febru(arii), indictione quarta, incarnationis dominice anno .M.C.L.V., pontificatus uero domni Adriani pape .IIII. anno secundo';[35] a less formal letter or grant, the category to which *Laudabiliter* belongs, would have recorded the place of issue, 'Dat' Beneuenti [given at Benevento]' and the date, expressed in the ancient Roman style, '.xiiii. kal. Februarii [the fourteenth day before the calends of February]'—that is, 19 January.[36]

The dubious structure and lack of final protocol make *Laudabiliter* suspicious on diplomatic grounds alone; but the form of its transmission raises even stronger doubts about its authenticity. Not only is the 'original' lost, but there is also no diplomatic copy, nor is there any other copy which is absolutely independent of

[34] *The Letters of Pope Innocent III (1198–1216) Concerning England and Wales,* ed. by Christipher R. Cheney and Mary G. Cheney (Oxford: Clarendon Press, 1967), p. xviii: 'If a letter calls for any *narratio* or statement of the case, it usually follows in that section the words of the enquiry or the petition to which the answer is given.'

[35] *Papsturkunden in England*, ed. by W. Holtzmann, 3 vols, Abhandlungen der Gesellschaft der Wissenschaften zu Göttingen: Philologisch-historische Klasse, 1, n.s. 25 (Berlin: Weidmann, 1930); 2, ser. 3, 14–15 (Berlin, 1935–36); 3, ser. 3, 33 (Göttingen, 1952), III, 234–38, no. 100 (p. 238): 'Given at Benevento by the hands of Roland, cardinal priest and chancellor of the Holy Roman Church, on 5 February, in the fourth indiction, in the year of the Lord's incarnation 1155, in the second year of the pontificate of the lord pope Adrian IV.'

[36] See also the date of a letter to the Archbishop of Sens and the Bishop of Auxerre in December 1155, 'Dat. Beneuenti .xiiii. kal. Ianuarii': *Decretales ineditae saeculi XII*, ed. and revised by S. Chodorow and C. Duggan, Monumenta Iuris Canonici, 4 (Città del Vaticano: Biblioteca Apostolica Vaticana, 1982), p. 9. Nowhere in the textual tradition of the letter does an acceptable date appear. Walter Bower's 'Dat' c.' was a poor attempt to supply an obvious lacuna: see *Scotichronicon by Walter Bower*, VI, ed. by Shead, Stevenson, and Watt, pp. 404–05.

Gerald de Barri. The versions transmitted by Ralph de Diceto (1198–99),[37] Roger of Wendover († 1236),[38] and Matthew Paris († 1259)[39] all belong, despite their superficial differences, to a textual sequence which can be traced through Diceto to Gerald. Equally, there is nothing in the 'protest tradition', represented by three single leaf copies[40] and the transcript in Walter Bower's mid-fifteenth-century *Scotichronicon*,[41] which proves derivation from a better and more authentic source.[42]

The initial inclination is to dismiss the document out of hand as another Geraldine forgery; but there are two compelling pieces of evidence in its favour. The first is John of Salisbury's categorical statement, to which Gerald had referred. Just after the news of Adrian IV's death had reached England (late 1159), John noted, at the end of his *Metalogicon*, that the late pope had 'granted and given Ireland to the illustrious Henry II king of the English to be held by hereditary right, as his letters testify to this day', in response his prayers, on the ground that 'All islands are said to belong to the Roman Church by ancient right from the donation of Constantine, who established and endowed it'; and that he himself had brought back a 'golden ring set with a fine emerald by which

[37] *Radulfi de Diceto decani Lundoniensis opera historica,* ed. by W. Stubbs, Rolls Series 68, 2 vols (London: Longman, 1876), I, 268. The two earliest manuscripts of the work, London, British Library, MS Cotton Claudius E. iii and London, Lambeth Palace, MS 8, were written in the scriptorium at St Paul's by January 1198 and May 1199 respectively (*Radulfi de Diceto*, II, 159).

[38] Roger of Wendover, *Flores historiarum,* ed. by Henry G. Hewlett, Rolls Series, 84, 3 vols (London: Longman, 1886–89), I (1886), 11–13.

[39] Matthew Paris, *Chronica majora*, ed. by H. R. Luard, Rolls Series, 57, 7 vols (London: Longman, 1872–83), II (1874), 210–11; Matthew Paris, *Historia Anglorum*, ed. by Frederic Madden, Rolls Series, 44, 3 vols (London: Longman, 1866–69), I (1866), 304–05.

[40] (1) London, Lambeth Palace, Carew MS 619, fol. 206 (second half of the thirteenth century); *Calendar of the Carew Manuscripts Preserved in the Archiepiscopal Library at Lambeth* (= *Carew Manuscripts*), ed. by J. S. Brewer and William Bullen, 6 vols (London: Longman, 1867–73), VI (1871), 464; Watt, '*Laudabiliter* in Medieval Diplomacy', p. 424. (2) London, National Archives (PRO), SC 8/177 no. 8818 (early fourteenth century). (3) Dublin, Trinity College MS H. 2. 18, cat. 1339, p. 342 (*olim* fol. 40^{v}; early fourteenth century), on an inserted leaf in the so-called 'Book of Leinster'. Dr Haren (see '*Laudabiliter*: Text and Context', p. 160) dates nos (2) and (3) to the late thirteenth century.

[41] *Scotichronicon*, VI, 402–05; ibid., VI, 481–83 (commentary).

[42] Although this was argued by Professor Richter (see above, n. 31), I present detailed textual evidence to the contrary in 'The Making of a Myth: Giraldus Cambrensis, *Laudibiliter*, and Henry II's Lordship of Ireland', which will appear in *Studies in Medieval and Renaissance History*, ser. 3, 4 (2007).

investiture of the right to rule in Ireland should be made; and this ring was ordered to be kept in the public (i.e., royal) treasury until now'.[43] Even if John was exaggerating the significance of what had been obtained, in order to demonstrate his influence with the dead pope,[44] his statement is evidence that something was brought back from Benevento. The second is that *Laudabiliter* shares part of its *arenga* with an absolutely authentic letter, *Satis laudabiliter*, which Adrian IV sent to Louis VII in 1159.[45] That letter not only refused to grant crusading letters to Louis VII (and Henry II) for a joint expedition into Spain, but urged that no such action should be taken without the advice and approval of the kings, princes, and church of the area. From the parallelism between the Irish *Laudabiliter* and the French *Satis laudabiliter*, it can be argued, either that the Irish letter was concocted on the basis of the French text[46] or, as I think, that there was a genuine

[43] *Ioannis Saresberiensis. Metalogicon,* IV, 42, ed. by J. B. Hall and K. S. B. Keats-Rohan, Corpus Christianorum Continuatio Mediaevalis, 98 (Turnhout: Brepols, 1991), p. 183; cf. the translation (from the earlier edn by Webb) by Daniel D. McGarry, *The Metalogicon: A Twelfth-century Defense of the Verbal and Logical Arts of the Trivium* (Berkeley: University of California Press, 1955; repr. 1962), pp. 274–75.

[44] As I have argued: A. J. Duggan, *'Totius christianitatis caput*: The Pope and the Princes', in *Adrian IV: The English Pope (1154–1159); Studies and Texts*, ed. by Brenda Bolton and Anne J. Duggan (Aldershot: Ashgate, 2003), pp. 105–55 (pp. 141–43). A more critical view of John's reliability as a recorder of his own position in relation to the powerful men of his time is beginning to emerge: see the probing analysis of his relations with the French court by Julie Barrau, 'Jean de Salisbury, intermédiare entre Thomas Becket et la cour capétienne', in *Plantagenêts et Capétiens: Confrontation et heritages*, ed. by Martin Aurell and Noël-Yves Tonnerre (Turnhout: Brepols, 2006) pp. 505–16 (p. 513), where Ms Barrau speaks of John's attempt 'à transmettre un sentiment, sans doute partiellement simulé, de grande familiarité avec les hautes spheres du pouvoir capétien'.

[45] *Patrologiae cursus completus [...] Series Latina*, ed. by Jacques-Paul Migne, 221 vols (Paris: Migne, 1844–64), CLXXXVIII, cols 1615–17, no. 241 (s.a. 1158); see P. Jaffé, *Regesta Pontificum Romanorum ad annum 1198*, 2nd edn by S. Loewenfeld, F. Kaltenbrunner, and P. W. Ewald, 2 vols (Leipzig: Viet, 1885–88: cited as PL), PL 10546. The date 1159 is the more likely, following the (temporary) establishment of good relations between the two kings in 1158: see W. L. Warren, *Henry II* (London: Methuen, 1973), p. 77. The authenticity of *Satis laudabiliter* is above reproach, for it survives in a collection of French royal documents ('Collection F') transcribed in Saint-Victor in Paris in the late 1170s: Città del Vaticano, Biblioteca Apostolica Vaticana, MS Reg. lat. 179; see *Die Briefsammlungen des 12. Jahrhunderts in St. Viktor/Paris. Entstehung, Überlieferung und Bedeutung für die Geschichte der Abtei,* ed. by Gunnar Teske, Studien und Dokumente Zur Gallia Pontificia, 2 (Bonn: Bouvier, 1996), pp. 158 and 358, no. 100.

[46] Either by Gerald or, as argued by Scheffer-Boichorst, 'Hat Papst Hadrian IV.', pp. 152–54 and 157, a schoolroom exercise crudely modelled on the authentic *Satis laudabiliter* by a student of *dictamen*.

Irish letter, but that the order of its clauses was slightly, but significantly different and, more importantly, that it contained three or more extra clauses, which strongly advised against Henry's proposal. Reconstructed on the analogy of *Satis laudabiliter*, the Irish letter might have read something like the following:[47]

[1] Laudabiliter et satis [...] principium acceperunt.
(Laudably [...] and conclusion.)

[3] Significasti siquidem nobis [...] et integra conseruare.
(Inasmuch as you have indicated [...] and unimpaired.)

[4] Nos itaque pium [...] denarii pensione.
(And so [...] from every household.)

[2] Sane Hiberniam et omnes insulas [...] exigendum
(Indeed there is no doubt [...] so to do.)

<a> Verum cum excellentia [...] plurimum esse festinata.[48]

(But yet, although your excellency [...] exploit.)

<b> Accedit ad hoc quod alienam terram [...] adimplere.

(Add to this [...] protection.)

<c> Sane discretio tua [...] inspiciat et attendat.
(Indeed, your discretion should [...] approach that path.)

[5] Si ergo quod concepisti animo [...] in seculis obtinere.
(Then, if you wish [...] for all ages.)

Or, alternatively, [1], [3], [4], [2], [5], <a>, <b>, <c>

Setting aside the question of clauses <a>–<c>, the repositioning of the *Sane Hiberniam* clause [2] significantly changes the emphasis of the letter. Instead of the papal assertion of authority over islands occupying the primary position after the *arenga*, it is the King's petition to enter Ireland to 'to make that people obedient to the laws and to root out from there the weeds of vices', and his promise to pay Peter's pence, that takes pride of place, emphasizing that the initiative was Henry's, not Adrian's; and the Pope's approval of the project was

[47] For the full text and translation, see the Appendix below. The numbers in square brackets indicate the position of the segment in Gerald's *Expugnatio*.

[48] For <a> – <c>, see *Satis Laudabiliter* (*PL*, CLXXXVIII, cols 1615–17).

subject to those terms. There is no conferment of lordship, no mandate to the Irish to accept Henry's rule: only the statement that it would be pleasing to the Pope if 'the people of that land' were to receive him 'honourably' and respect him 'as their lord', 'on condition that the rights of the churches remain intact and unimpaired, and without prejudice to the payment to St Peter and the holy Roman church of an annual tax of one penny from every household'. Even without the advisory clauses, the document was sorely deficient as a warrant for conquest, despite John of Salisbury's assertion to the contrary;[49] with them, it became an exercise in diplomatic dissuasion. Neither version corresponds with John's claim that Adrian's letters had 'granted and given Ireland to the illustrious Henry II'; but John's purpose was to demonstrate his own high standing with the recently dead pope. The discrepancy can be explained by the suggestion that Master John considerably exaggerated the value of the document that he had secured from his papal friend;[50] and that exaggeration may have led Gerald, twenty years later, to seek out that letter, rather than Alexander III's confirmations.[51] And when he found it, he resorted to a little 'sexing up' of his own, along the lines of John of Salisbury's boast, to make it appear to say something other than it did.

Henry had taken no action in 1156 (nor, of course, did the planned Anglo-French crusade take place in Spain in 1159); and it was not until the threat of a Cambro-Norman conquest of at least part of the island by Richard FitzGilbert de Clare (Strongbow), Earl of Strigoil, whose marriage to the daughter of Diarmait Mac Murchada, King of Leinster, and defeat of the High-King, Ruaidrí Ua Conchobair in spring 1171, called up the spectre of an independent Cambro-Norman ruler in Leinster, that Henry felt the need to intervene directly in the island's affairs. And when he did so, it was not on the basis of a papal grant, but to protect his own interests as the overlord of Strongbow and the other Cambro-Normans who were carving out lordships for themselves as 'allies' of Diarmait Mac Murchada.[52] Nevertheless, the care with which Henry's agents secured letters

[49] See above, at n. 43.

[50] A. J. Duggan, *'Totius christianitatis caput'*, pp. 141–43.

[51] See below, nn. 56 and 58.

[52] With Henry's approval (*c.* 1166–67), Mac Murchada had recruited Strongbow and others, including Robert FitzStephen and Maurice FitzGerald, the Geraldine relatives of Gerald de Barri: see Warren, *Henry II*, pp. 192–93; Lynn H. Nelson, *The Normans in South Wales, 1090–1191* (Austin: University of Austin Press, 1966), pp. 131–50; and Watt, *Church and Two Nations*, p. 36 ('there is no evidence to warrant any linking of the Invasion with any plot to resurrect the primacy of Canterbury in Ireland'; Flanagan, *Irish Society*, p. 76. It is possible that his intervention

of submission from Christian of Lismore and the other Irish bishops, as well as the fealty of the 'kings and princes' of Ireland, suggests that Henry had been influenced by the suppressed clauses of *Laudabiliter*, especially the second part of clause <b>:

> [W]e urge your highness by these letters, first to examine and ponder the needs of the area with the aid of the princes of that realm, and carefully seek out the will both of its Church and of its princes and people, and take their advice, as is fitting. If, when you have done this, you see that the region is in immediate need, and its Church advises it, and the princes of the area have themselves also requested your highness's aid and given their advice, you can then go forward in the matter according to their request and advice, and fulfil your laudable desire, supported by divine protection.

The English king seems indeed to have armed himself with the explicit evidence of indigenous support which Adrian IV had said was required for papal approval of the venture.

Apart from this subliminal appearance in the actual events of 1172, *Laudabiliter* played no part in the sequence of historical events that led to the fateful establishment of English rule in Ireland, but it shaped the way in which Henry II legitimized his authority. Only after his agents had secured Irish acknowledgement of his reforming intentions and recognition of his lordship did the King seek Pope Alexander's approval; and Alexander confirmed what had been done on the basis of written and oral reports presented by Henry's envoy. He did not anywhere refer to his predecessor or to *Laudabiliter*, presumably because neither was cited in the letters of the Irish bishops or in the petition submitted by the English king, but he would have known the contents of the genuine *Laudabiliter*, since it was issued when he was Adrian IV's chancellor, and he may have been impressed by Henry II's demonstrative compliance with Adrian's instructions.

Why, then, did Gerald feel the need to falsify *Laudabiliter*, since English rule was a firm fait accompli by the time he began writing the *Expugnatio* in 1188? The answer lies in his desire to justify the event on grounds other than the *realpolitik*

was welcomed by more than one constituency in the island: Gervase of Canterbury said that Henry was responding to an appeal from Irish kings who were disturbed at Strongbow's success: *The Historical Works of Gervase of Canterbury*, ed. by W. Stubbs, Rolls Series, 73, 2 vols (London: Longman, 1879–80), I, 234; Aubrey Gwynn, S. J., thought that Christian of Lismore was a willing collaborator: *The Irish Church in the 11th and 12th Centuries*, ed. by Gerard O'Brien (Dublin: Four Courts Press, 1992), pp. 305–05); M. T. Flanagan, 'Henry II, the Council of Cashel and the Irish Bishops', *Peritia. Journal of the Medieval Academy of Ireland*, 10 (1996), 184–211, esp. 186–87, 205, 209.

which had brought it about. He wanted to fit it into his construction of a prophetic chain of events in which England's natural right to rule the whole of the British Isles was manifested. The stories of Gurguit's (Gurguintius's) grant of Ireland to the ancestors of the Irish (who had been expelled from Spain) and King Arthur's subsequent conquest of the island, derived from Geoffrey of Monmouth[53] combined with King Henry's lordship of Bayonne, 'from where the Irish had come', formed the 'historical' foundation; but these were rather flimsy justifications for the conquest of one Christian country by another — hence the need for a validating authority; and since Gerald was a highly educated cleric, who would later boast of his knowledge of the decretals of Alexander III and quote a long section from one with tolerable accuracy,[54] it is not surprising that he would see a papal grant as the supreme validation of King Henry's right.

The absolutely authentic letters which Henry obtained in 1172 did not fit the bill, however. Alexander III's letter to the King, *Celebri fama*, secured by Henry's messenger and issued from Tusculum (now Frascati) on 20 September 1172, praised King Henry's good intentions in Ireland, but did not in any way *bestow* its lordship upon him. Instead, it laboured the fact that the Pope was giving his blessing to the fait accompli of Henry's armed intervention, undertaken for the reform of Irish morals, as graphically reported in writing by Bishop Christian of Lismore and his episcopal colleagues, and made even more explicit in the oral report of the King's envoy, Archdeacon Ralph of Llandaff. This same archdeacon had been the leading member of the triumvirate of royal envoys who had represented King Henry at the Council of Cashel in early 1172, which had been assembled at his command and whose decrees were validated by his authority, and it was they who had 'diligently [*per industriam*]' obtained the episcopal letters that denounced the 'immoral' customs of the Irish, praised Henry's reforming policies,

[53] Geoffrey of Monmouth, *Historia regum Britanniae*, III, 12, ix, 10, 12, ed. by Acton Griscom (London: Longmans, 1929), pp. 292, 445, 451–52; *The History of the Kings of Britain*, trans. by Lewis Thorpe (London: Penguin, 1966), pp. 100–01, 221–22, and 225–28, especially p. 227. Cf. *Expugnatio*, II, 6, pp. 148–49. Giraldus also owed much of his own conceptualization of the prophetic nature of the Cambro-Norman conquest of Ireland to Geoffrey's *Prophetiae* (in *Historia*, VII). For a general overview of Geoffrey's influence, see R. William Leckie, *The Passage of Dominion: Geoffrey of Monmouth and the Periodization of Insular History in the Twelfth Century* (Toronto: University of Toronto Press, 1973).

[54] *Gemma ecclesiastica* (*Opera*, II, pp. 41–42); cf. trans. by John J. Hagen, *The Jewel of the Church* (Leiden: Brill, 1979), pp. 33–34. I am grateful to Miss Brenda Bolton for this reference. The quoted decretal is *Plene nobis innotuit* (JL 13748), Alexander III to the Bishop of Arras.

and recognized his lordship.[55] The letters have not survived, but their contents can be established from the Pope's letter to Henry:[56]

> For, while we for the present omit other monstrous abuses which the same race, irreverently neglecting the observances of the Christian faith, even as our venerable brothers Christian, bishop of Lismore, legate of the Apostolic See, [and] the archbishops and bishops of the land have informed us by their letters, our dear son R[alph], archdeacon of Llandaff [...] who has seen all these things with his own eyes, has carefully and diligently explained to us[57] by word of mouth [...] as we learn from the written information supplied by the archbishops and bishops and more fully and clearly by the aforesaid archdeacon's report to us.

Two parallel letters were addressed respectively to unnamed 'kings and princes of Ireland' and to Christian of Lismore (papal legate) and the archbishops of Armagh, Cashel, Dublin, and Tuam, and their suffragans. The first, *Ubi communi fama*, recorded Alexander's pleasure on hearing that the princes had 'received our dear son in Christ, Henry, the illustrious king of England, as king and lord, and have sworn fealty to him' and commended their 'wise providence' in submitting of their 'own free will [*voluntate libera*] to so powerful and magnificent a king'; the second, *Quantis vitiorum*, repeated the allegations of Irish vice transmitted in the prelates' letter and ordered them to cooperate with King Henry and to excommunicate any 'kings, princes, or other persons' who break their oath and fealty to him.[58] Although all three letters were considered significant enough by the royal administration to be kept in the royal archives and subsequently copied, with their dates, into the *Black Book of the Exchequer* in the early thirteenth century,[59] none of them confers the lordship or kingship of Ireland on Henry II; nor do they refer to Pope Adrian, or to his 'grant'; nor do they cite or confirm

[55] Ralph's associates were the Cistercian, Abbot Ralph of Buildwas, and the King's chaplain, Nicholas. See *Expugnatio*, pp. 98–99: 'ex ipsius triumphatoris mandato in civitate Cassilia convenerunt' (they gathered in the city of Cashel by command of the conqueror); and ibid., pp. 142–43: 'cum prenotatis spurciciarum litteris in sinodo Cassiliensi per industriam quesitis' (with the aforesaid letters about abuses which had been diligently/purposely procured at the synod of Cashel).

[56] *Pontificia Hibernica*, I, 21–22, no. 6; English translation: *Irish Historical Documents*, pp. 20–22, no. 2.

[57] Curtis and McDowell mistakenly read 'you'.

[58] *Pontificia Hibernica*, I, 19–20 and 22–23, nos 5 and 7; *Irish Historical Documents*, pp. 19–20 and 22, nos 1 and 3.

[59] London, National Archives, E. 164/12, fols 8^{v}–9^{v}; *Liber Niger Scaccarii*, ed. by Thomas Hearne, 2 vols (London: W. & J. Richardson, 1771), I, 42–48.

Laudabiliter. They were, as Roger of Howden emphasized, issued after the event, in response to King Henry's embassy, and drafted 'according to the model of the "charters" of the archbishops and bishops of Ireland'.[60]

From Gerald's point of view, therefore, they were insufficient for his purpose of proving the justice and the providential character of 'English' rule in Ireland; and so he concocted the ridiculously false *privilegium Alexandri Terch*,[61] to support the falsified *Laudabiliter*. Together, they appeared to provide papal justification for the initiation of the Irish conquest. Gerald thus permanently reshaped the story, the memory, the history of the Anglo-Norman-Angevin acquisition of the dominion of Ireland, and he did it so successfully that all sides in the subsequent centuries looked to Adrian IV's *Laudabiliter* as the effective authorization for the establishment of Anglo-Norman rule in the island, and so laid on the English pope Adrian the moral responsibility for all that happened thereafter. As the so-called 'Remonstrance' of the Irish Princes put it to Pope John XXII in 1317 or early 1318, 'Pope Adrian, your predecessor, an Englishman [...] did in fact [...] confer upon the same Henry this lordship of ours by a certain form of words.'[62]

[60] Roger of Howden, *Gesta regis Henrici II Benedicti abbatis*, ed. by William Stubbs, Rolls Series, 49, 2 vols (London: Longman, 1867), I, 28; Roger of Howden, *Chronica magistri Rogeri de Houedene*, ed. by William Stubbs, Rolls Series, 51, 4 vols (London: Longman, 1868–71), II, 31–32: 'Rex vero Angliae misit transcriptum cartarum universorum archiepicoporum Hyberniae ad Alexandrum papam, et ipse auctoritate apostolica confirmavit illi et haeredibus suis regnum Hyberniae, *secundum formam cartarum archiepiscoporum et episcoporum Hyberniae*' (Then the King of England sent copies of the 'charters' of all the archbishops of Ireland to Pope Alexander, and he confirmed the kingdom of Ireland to him and his heirs by apostolic authority, *following the model of the 'charters' of the archbishops and bishops of Ireland*).

[61] *Expugnatio*, pp. 146–47 and 279 (*Quoniam ea*); but see also Haren, '*Laudabiliter*: Text and Context', pp. 153–54, which recognizes the formal falsity of *Quoniam ea* but exonerates Gerald from the charge of forgery with the suggestion that it was the draft of a confirmation which Henry II had intended to seek from Alexander III. The difficulty with this hypothesis is twofold. Why should the King have considered seeking confirmation of a 'privilege' (*Laudabiliter*) that emphasized papal jurisdiction over islands and the payment of Peter's pence, when he had secured the written acknowledgement of his lordship from the Irish bishops which formed the basis of the three genuine papal letters impetrated in September 1172? And why, having obtained the genuine letters, would he have caused the substance of *Laudabiliter* and the 'draft' *Quoniam ea* to be read out at Waterford in 1173?

[62] See above, n. 19.

This is quite a claim for a very short document of three hundred and fifty words, which can be written on one relatively small piece of parchment,[63] and one, moreover, whose original had never been seen after the close of the twelfth century. Reshaped and inserted into Gerald's wonderfully evocative tale, *Laudabiliter* took on a fantasy life of its own and became what it was never intended to be: a kind of donation charter that justified the subordination of one people to another. In this form, 'Pope Adrian's bull' exercised a powerful influence in Anglo-Irish history, as the source of an eight-hundred-year legacy of domination and racial and later religious tension. Not only that, but the emphasis on *Laudabiliter* obscured the complicated story of Irish division which created the opportunity for, and of Irish involvement in, the fateful hiring of land-hungry Cambro-Normans.

Yet the fact that Gerald was able to reconstruct the history of Anglo-Irish relations so effectively is a testament not to the intrinsic authority of that particular document, which really does not stand critical examination, but to the extraordinary power of the written record. *Laudabiliter* had been all but forgotten by the time that *The Conquest of Ireland* was written in 1188–89. Although Gerald wrote that the 'privilege' could still be seen in the royal archives, it was the three Alexandrine letters, not *Laudabiliter*, that were copied into the collection of royal precedents in the *Black Book of the Exchequer*. It is unlikely that any more would have been heard of this piece of documentary ephemera, if the gifted Cambro-Norman had not refashioned it to become the centrepiece of his *Vaticinalis Historia* (Prophetic History of the Conquest of Ireland). Inserted into no fewer than three of his works — the *Expugnatio*, *De rebus a se gestis*, and *De principis instructione*[64] — Gerald's version of *Laudabiliter* was seen and read (and copied and quoted) by numerous generations of the politically active on both sides of the Irish Sea, while the actual documents which had confirmed King Henry's dominion languished in the relative oblivion of the Exchequer's *Black Book*.

Gerald de Barri's written *narratio* of the conquest of Ireland functioned like an Egyptian Pharaoh's *stela*: it preserved for all time not only his view of events, but also 'the form of words' which appeared to give them perpetual validity. Key aspects of the historical reality were obscured, and one redundant and falsified papal bull, supported by a complete fake, was substituted for three perfectly

[63] For example, London, National Archives, SC 8/177 no. 8818 (see above, n. 40), measures 267mm × 158mm.

[64] *Expugnatio*, pp. 144–47; *Opera*, VIII, pp. 196–97 (*De principis instructione*); *Opera*, I, pp. 62–63 (*De rebus a se gestis*).

genuine ones. Thus, paradoxically, the written narrative eclipsed the authentic *scripta*, but the credibility of the *narratio* depended in turn on the supposed authority of false documents, just as they appeared to be validated by a fictionalized narrative. A similar process was at work in the account of the dispute (1155–57) between Battle Abbey and Bishop Hilary of Chichester, transmitted in the *Battle Abbey Chronicle*, an anonymous work completed in the very year (*c.* 1188–89) that Gerald wrote his history of the Irish Conquest. It, too, was vitiated by forgery (of documents, royal and archiepiscopal) and fiction (in the narrative), but 'by no stretch of the imagination can the *Chronicle* be dismissed as fiction pure and simple'.[65] Nor can Gerald's *Expugnatio*. In comparison with the *Battle* chronicler's 'fictitious manipulation of narrative history',[66] indeed, Gerald's manipulation appears mild; but whereas Battle Abbey's narrator constructed a spurious immunity for one monastery, Gerald, by his adulteration of *Laudabiliter*, falsified the basis of English rule in Ireland. In this case, the myth proved to be more powerful than the reality; and Gerald's fiction played as important a part in Anglo-Irish affairs as the donation of Constantine in those of the empire and the papacy. Documents have power; but convenient fictions are often more powerful still.

[65] Vincent, 'King Henry II and the Monks of Battle', p. 285; ibid., 268, 279, 280–81, and 283. For the *Chronicle's* account of the case, see *English Lawsuits from William I to Richard I*, ed. by R. C. Van Caenegem, Selden Society, 106–07, 2 vols (London: Selden Society, 1990–91), II, 310–23, no. 360; cf. *The Chronicle of Battle Abbey*, ed. and trans. by Eleanor Searle, Oxford Medieval Texts (Oxford: Clarendon Press, 1980), especially pp. 154–209. For the date of completion, see ibid., pp. 9, 23–28.

[66] Vincent, 'King Henry II and the Monks of Battle', p. 265.

Appendix

Suggested Reconstruction of Laudabiliter

The following text is based on the version transmitted by Gerald de Barri, *Expugnatio Hibernica: The Conquest of Ireland by Giraldus Cambrensis*, ed. and trans. by A. B. Scott and F. X. Martin, Irish Medieval Texts, 1 (Dublin: Royal Irish Academy, 1978), pp. 144–47. Segment [2] has been transferred to a more appropriate position; and three advisory segments (from *Salis Laudabiliter*) have been inserted before the final clause.

Privilegium Adriani pape (Privilege of Pope Adrian)

Adrianus episcopus seruus seruorum Dei, carissimo in Christo filio illustri Anglorum regi salutem et apostolicam benedictionem.

(Adrian, bishop, servant of the servants of God, to his dearest son in Christ the illustrious king of the English, greeting and apostolic blessing.)

[1] Laudabiliter et satis fructuose de glorioso nomine propagando in terris et eterne felicitatis premio cumulando in celis tua magnificencia cogitat, dum ad dilatandos ecclesie terminos, ad declarandam indoctis et rudibus populis Christiane fidei ueritatem et uiciorum plantaria de agro Dominico extirpanda, sicut catholicus princeps intendis; et ad id conueniencius exequendum consilium apostolice sedis exigis et fauorem. In quo facto quanto altiori consilio et maiori discrecione procedis tanto in eo feliciorem progressum te, prestante Domino, confidimus habiturum, eo quod ad bonum exitum semper et finem soleant attingere que de ardore fidei et religionis amore principium acceperunt.

(Laudably and profitably enough does your magnificence contemplate extending [your?] glorious name[67] on earth and laying up a reward of eternal bliss in heaven, as you strive, as a Catholic prince should, to enlarge the boundaries of the Church, to reveal the truth of the Christian faith to peoples still untaught and barbarous, and to root out the weeds of vice from the Lord's field; and the more expeditiously to achieve this end, you seek the counsel and favour of the Apostolic See. The higher the resolve and the

[67] Scott and Martin supply 'of Christ', but there is no textual support for that emendation.

greater the discretion with which you go forward in this action, the more successful, we believe, with God's help, will be your progress in it, since enterprises which have their beginning in ardent faith and love of religion are wont always to attain a good outcome and conclusion.)

[3] Significasti siquidem nobis, fili in Christo carissime, te Hibernie insulam ad subdendum illum populum legibus et uiciorum plantaria inde extirpanda uelle intrare, et de singulis domibus annuam unius denarii beato Petro uelle soluere pensionem, et iura ecclesiarum illius terre illibata et integra conseruare.

(Inasmuch as you have indicated to us, very dearly beloved son in Christ, that you wish to enter the island of Ireland to make that people obedient to the laws and to root out from there the weeds of vices, and that you are willing to pay St Peter an annual tax of one penny from every household, and to preserve the rights of the churches of that land intact and unimpaired.)

[4] Nos itaque pium et laudabile desiderium tuum cum fauore congruo prosequentes, et peticioni tue benignum impendentes assensum, gratum et acceptum habemus ut pro dilatandis ecclesie terminis, pro uiciorum restringendo decursu, pro corrigendis moribus et uirtutibus inserendis, pro Christiane religionis augmento, insulam illam ingrediaris et que ad honorem Dei et salutem illius terre spectauerint exequaris, et illius terre populus honorifice te recipiat et sicut dominum ueneretur; iure nimirum ecclesiarum illibato et integro permanente et salua beato Petro et sacrosancte Romane ecclesie de singulis domibus annua unius denarii pensione.

(And so, supporting your pious and praiseworthy intention with the favour it deserves and granting our benevolent consent to your petition, we deem it pleasing and acceptable that, to enlarge the boundaries of the church, to check the downward course of wickedness, to correct morals and implant virtues, to encourage the growth of the Christian religion, you should enter that island and pursue policies directed towards the honour of God and the well-being of that land, and that the people of that land receive you honourably and respect you as their lord, on condition that the rights of the churches remain intact and unimpaired, and without prejudice to the

payment to St Peter and the holy Roman church of an annual tax of one penny from every household.)

[2] Sane Hiberniam et omnes insulas quibus sol iusticie Christus illuxit, et que documenta fidei Christiane ceperunt, ad ius beati Petri et sacrosancte Romane ecclesie, quod tua etiam nobilitas recognoscit, non est dubium pertinere. Unde tanto in eis libencius plantacionem fidelem et germen gratum Deo inserimus quanto id a nobis interno examine districtius prospicimus exigendum. [68]

(Indeed there is no doubt, as your nobility also recognizes, that Ireland, and indeed all islands on which Christ, the sun of justice, has shed His rays, and which have received the teachings of the Christian faith, belong to the jurisdiction of blessed Peter and the holy Roman church. Hence we are all the more eager to establish in them a transplant of the faith, an offshoot pleasing to God, as we realize that an examination of our own heart sternly requires us so to do.)

<a> Verum cum excellentia tua et consilii maturitate sit prouida, et luce sapientie illustrata, in ordine ipsius facti uidetur plurimum esse festinata.

(But yet, although your excellency may be both circumspect with an abundance of prudence and illumined with the light of wisdom, you seem to be very hasty in the arrangement of this particular exploit.)

<b>Accedit ad hoc quod alienam terram intrare, nec prouidum uidetur esse nec tutum, nisi a principibus, et a populo terre prius consilium requiratur. Tu uero, sicut accepimus, inconsulta ecclesia et principibus terre illius accedere illuc et festinare disponis, cum hoc deberes nulla ratione tentare, nisi cognita per principes terre necessitate et ab eis prius esses exinde requisitus. Unde quia nos honorem et incrementum tuum tota mentis intentione diligimus, et nihil tale a te aggredi, nisi rationabili causa exigente, uellemus, sublimitati tue presentibus litteris suademus ut prius

[68] It may be significant that Roger of Wendover (*Flores historiarum,* I, 11–13), followed by Matthew Paris (*Chronica majora*, I, 210–11; *Historia Anglorum*, I, 304–05), transferred the clause 'Sane Hiberniam [...] pertinere (*omitting* 'Unde [...] exigendum') to this position.

necessitatem terre per principes illius regni inspicias et consideres, et tam illius ecclesie quam principum et populi uoluntatem diligenter inquiras, et ante eis consilium, sicut decet, accipias. Quo facto, si et necessitatem terre uideris imminere, et ecclesie consilium fuerit, ipsi etiam terre principes tue sublimitatis auxilium postulauerint, et consilium dederint, iuxta postulationem et consultum eorum poteris postea in facto ipso procedere, et laudabile uotum tuum, diuino comitante presidio, adimplere.

(Add to this, that it would seem to be neither wise nor safe to enter a foreign land without first seeking the advice of the princes and people of the area. But, as we understand it, you are proposing to go there in haste, without consulting the Church and the princes of that area, although you ought on no account to attempt it, unless, having learned the need from the princes of the region, you are then asked by them beforehand. Wherefore, since we love your honour and advancement with the whole force of our mind and wish you to begin nothing of this kind unless compelled by reasonable cause, we urge your highness by these letters, first to examine and ponder the needs of the area with the aid of the princes of that realm, and carefully seek out the will both of its Church and of its princes and people, and take their advice, as is fitting. If, when you have done this, you see that the region is in immediate need, and its Church advises it, and the princes of the area have themselves also requested your highness's aid and given their advice, you can then go forward in the matter according to their request and advice, and fulfil your laudable desire, supported by divine protection.)

<c> Sane discretio tua et nostram dissuasionem, quam rationabiliter credimus fecisse, provida deliberatione consideret, atque alia, per que ad illud iter tam festinanter aspiras, inspiciat et attendat.

(Indeed, your discretion should with prudent deliberation consider our counter advice, which has been given we believe for sound reasons, and also ponder and consider other ways by which you may as speedily approach that path.)

[5] Si ergo quod concepisti animo effectu duxeris prosequente complendum, stude gentem illam bonis moribus informare, et agas tam per te quam per illos quos ad hoc fide, uerbo et uita idoneos esse prospexeris, ut decoretur ibi ecclesia, plantetur et crescat fidei Christiane religio, et que ad honorem

Dei et salutem pertinent animarum taliter ordinentur ut a Deo sempiterne mercedis cumulum consequi merearis, et in terris gloriosum nomen ualeas in seculis obtinere.

(Then, if you consider it proper to complete in effect what you have conceived in your mind, take particular care to instruct that people in right behaviour and, both in person, and acting through those whom you consider well-suited for this purpose by reason of their faith, eloquence and manner of life, strive to ensure that the church there may be enhanced, that the Christian religion may be planted and grow, and that everything pertaining to the honour of God and the salvation of souls may be so ordered that you deserve to attain the crown of everlasting reward form God, and earn on earth a name renowned for all ages.)

The Authority of Documents in Early-Medieval Italian Pleas

Swen Holger Brunsch

The authority of documents drawn up by notaries is nowhere better evidenced than in the kingdom of Italy between 750–1050 where an analysis of more than five hundred *placita*, pleas or petitions over property and land, shows the actual process of litigation at work. While the notaries were responsible for preparing the documents to be used in a trial, the judges summarized proceedings and gave judgement. At the trial, the plaintiff was summoned to present the matter under dispute, as well as his own claim. The defendant was then called upon to give his view of the case. After the opposing arguments had been examined, the entry of the proofs followed. Legal claims could be proved by as few as one document or by a bundle of several parchments. Documents were read aloud to the court and their authenticity questioned.

An interesting case of July 972 involved a certain Anno who, together with Martin, his nephew, made a plea or *placitum* against the Abbey of San Faustino in Verona, asserting that this abbey had unlawfully claimed the property of Pedreverto, their deceased relative. Representatives of the monastery absolutely denied the accusation, and presented Pedreverto's last will in evidence to the assembly, even having it read out aloud. Unimpressed, Anno and Martin declared Pedreverto's will to be a forgery and agreed to prove it to be so by means of a legal duel. All in all, only a very few last wills were ever presented in an early-medieval Italian trial and, in this particular case, it seems that the outcome did result in a duel. The case of Anno and Martin certainly appears to be most unusual, but it serves to draw attention to the power or powerlessness of documents in pleas. In

what follows the presentation of documents and other writings at Italian pleas will be the focus of our interest.[1]

More than five hundred pleas or petitions for justice are documented for the *Regnum Italicum* in the period between 774 and 1050, each one under the name of the respective ruler.[2] The individual trials such as that of Anno and Martin were recorded in documents referred to as *notitia, iudicatum,* or *placitum,* like the assembly itself. It is also necessary to stress that these documents do not describe the course of the trial, but merely summarize the proceedings and the judgement.[3]

The transmission of such *placita*, or pleas, from the eighth century is quite insignificant, with only eleven surviving documents; the number increases in the ninth century, before collapsing in the first half of the tenth century. There are no

[1] For the major edition of *placita*, see Cesare Manaresi, *I placiti del Regnum Italiae*, Fonti per la storia d'Italia, 92, 96–97, 3 vols (Rome: Istituto storico italiano per il Medio Evo, 1955–60) (henceforth Manaresi, cited by no., except when discussing Manaresi's commentaries on the *deperdita*, which are not numbered). For additions and corrections see *Contributi dell'Istituto di storia medioevale* (Milan: Vita e Pensiero, 1968–75), III: Raffaello Volpini, *I placiti del Regnum Italiae (secc. IX–XI): Primi contributi per un nuovo censimento*, ed. by Piero Zerbi, Pubblicazioni della Università Cattolica del Sacro Cuore, Scienze storiche, 12 (1975), pp. 245–520 (henceforth Volpini, cited by no.); *Fonti medioevali e problematica storiografica: Atti del congresso internazionale tenuto in occasione della fondazione dell'Istituto Storico Italiano (1883–1973), Roma 22–27 ottobre 1973* (Rome: Istituto storico italiano per il Medio Evo, 1976), I: Hagen Keller, *I placiti nella storiografia degli ultimi cento anni*, pp. 41–68 and pp.53–54; and François Bougard, *La justice dans le Royaume d'Italie de la fin du VIII^e siècle au début du XI^e siècle*, Bibliothèque des Écoles françaises d'Athènes et de Rome, 291 (Rome: École française de Rome, 1995), pp. 109–13. Some documents are re-edited, for example, *Urkunden zur Tätigkeit des deutschen Königs- und Hofgerichts bis 1451*, ed. by Bernhard Diestelkamp and Ekkehart Rotter, I: *Die Zeit von Konrad I. bis Heinrich VI. 911–1197*, Quellen und Forschungen zur höchsten Gerichtsbarkeit im alten Reich (Cologne: Böhlau, 1988); *Codice diplomatico polironiano 961–1125*, ed. by Rossella Rinaldi, Carla Villani, and Paolo Golinelli, Storia di San Benedetto Polirone, 2.1 (Bologna: Patron, 1993) (henceforth Rinaldi-Villani-Golinelli, cited by no.). For Anno and Martin, see Manaresi, 170.

[2] Some 412 documents have survived in the original or as a copy. Compare the editions of Manaresi and Volpini and the compilation of Rudolf Hübner, 'Gerichtsurkunden der fränkischen Zeit. II.: Die Gerichtsurkunden aus Italien bis zum Jahre 1150', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Germanistische Abteilung*, 14 (1893) (repr., 2 pts in 1 vol. (Aalen: Scientia, 1971), appendix, pp. i–iv, 1–258). For this paper the *deperdita* and falsifications of *placita* have no importance and are therefore excluded. For a list of *deperdita* see Manaresi, I, 587–99, II, 677–86, III, 453–59, and Bougard, *La justice*, pp. 391–415.

[3] Cf. J. Weitzel, *Dinggenossenschaft und Recht, Quellen und Forschungen zur höchsten Gerichtsbarkeit im Alten Reich 15/1–2*, 2 vols (Cologne: Böhlau, 1985), I, 214–354, 303–06, and 332–33.

documents at all for the years from 946 to 962, probably as the result of a general decline in notarial writing and the political circumstances in Italy at that time.[4] In the second half of the tenth century the transmission increases to more than one hundred pleas and remains at this high level for the next fifty years. Thus, by the end of 950, the number of Italian pleas is slightly lower than those of contemporary French and German territory.[5] This number increases again significantly from the second half of the tenth century and continues beyond the period dealt with here into the twelfth.

Research on Italian pleas has up to now focused mainly on the actual process, in other words, on the course, the place, and the time of the hearings.[6] The different proceedings of the *placita* are analogous to the expressions used in the *Cartularium Langobardicum*: up to the ninth century, the actual trial referred to as the *altercatio* was dominant. Subsequently, the trial became more and more sophisticated. Indeed, we find developing the *ostensio cartae* which, in addition to

[4] Compare Manaresi, II, p. vii.

[5] Rudolf Hübner, 'Gerichtsurkunden der fränkischen Zeit. I.: Die Gerichtsurkunden aus Deutschland und Frankreich bis zum Jahre 1000', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Germanistische Abteilung*, 12 (1891) (repr. 2 pts in 1 vol. (Aalen: Scientia, 1971), appendix, pp. i–viii and pp. 1–118), and Bougard, *La justice*, p. 112. Cf. Werner Bergmann, 'Untersuchungen zu den Gerichtsurkunden der Merowingerzeit', *Archiv für Diplomatik*, 22 (1976), 1–186; Weitzel, *Dinggenossenschaft*, pp. 214–354.

[6] Cf. D. A. Bullough, 'Leo, qui apud Hlotharium magni loci habebatur, et le gouvernement du Regnum Italiae à l'époque carolingienne', *Le moyen âge*, 67 (1961), 221–45; Hagen Keller, 'Der Gerichtsort in oberitalienischen und toskanischen Städten: Untersuchungen zur Stellung der Stadt im Herrschaftssystem des Regnum Italicum vom 9. bis 11. Jahrhundert', *Quellen und Forschungen aus italienischen Archiven und Bibliotheken*, 49 (1969), 1–72; Jon N. Sutherland, 'Aspects of Continuity and Change in the Italian *placitum*, 962–972: The Nature and Significance of Courtroom Procedures', *Journal of Medieval History*, 2 (1976), 89–118; Lucas F. Bruyning, 'Lawcourt Proceedings in the Lombard Kingdom before and after the Frankish Conquest', *Journal of Medieval History*, 11 (1985), 193–214; Chris Wickham, 'Land Disputes and Their Social Framework in Lombard-Carolingian Italy, 700–900', in *The Settlement of Disputes in Early Medieval Europe*, ed. by Wendy Davies and Paul Fouracre (Cambridge: Cambridge University Press, 1986), pp. 105–24; Charles M. Radding, *The Origins of Medieval Jurisprudence: Pavia and Bologna 850–1150* (New Haven: Yale University Press, 1988); A. Padoa Schioppa, 'Aspetti della giustizia milanese dal X al XII secolo', in *Atti dell'11° Congresso internazionale di studi sull'alto medioevo, Milano 26–30 ottobre 1987*, 2 vols (Spoleto: Centro italiano di studi sull'alto Medio Evo, 1989), I, 459–549; Bougard, *La justice*, pp. 307–39.

the publication of a legal transaction, served to avoid further conflicts, and the *investitura salva querela*, which was used when one of the opposing parties was absent.[7] A systematic analysis of the documents presented or mentioned in the different processes is desirable.[8]

In 213 surviving pleas, which means on average in approximately 50 per cent of all pleas transmitted, the presentation — even the reading out aloud of documents or other writings — is specially mentioned. These documents are differentiated, according to their content, as either *carta*, or *preceptum, iudicatum, notitia, scriptum,* or *epistola*. Most of these are lost today. A closer examination of this result reveals that, over time, the proportion of documents mentioned and presented declined. Toward the end of the eighth century, documents were presented in almost every second process.

However, considering the small scale of transmission, this observation is not very convincing. In the first half of the ninth century, the number increases to three-quarters of the processes and remains very high for the whole century. This high point reverts to two out of three cases at the beginning of the tenth century and is reversed in the course of the following century despite an increasing transmission which amounts to slightly more than one-third. But this general decline affects the individual types of proceedings in different ways, and as usual, documents played different roles in individual proceedings.

In the *altercatio*, or actual procedure of litigation, the opponents stood trial and the plaintiff presented the matter in dispute, together with his own claim. The assembly then called upon the defendant to give his view of the case. After the examination of opposing arguments, there followed the entry of the proofs where, in 119 out of the 252 cases under discussion, documents were presented.[9] The giving of evidence on the basis of documents was limited to neither a certain social group nor to one institution, in precisely the same way as the conflicts themselves were not limited. Within the ranks of the clergy, most of the arguments that were

[7] Guido Mengozzi, *Ricerche sull'attività della scuola di Pavia nell'alto medio evo* (Pavia: Tipografia cooperativa, 1924), pp. 39–41, and many later examples. Compare Keller, *I placiti*, p. 45; Radding, *The Origins*, pp. 55–56; Bougard, *La justice*, pp. 307–31.

[8] Some aspects are mentioned in Sutherland, 'Aspects', pp. 89–118, Wickham, 'Land Disputes', pp. 105–124, and Bougard, *La justice*, pp. 307–39.

[9] In two pleas *epistolae* were mentioned and read out at the opening of the trial. They commissioned a royal *missus* and were no evidence, but served exclusively to legitimate the process: see Manaresi, 129 and 255.

resolved by submitting documents occurred between priests. Arguments between bishops, higher clergy, and monasteries tended to play a less important role. In those conflicts that arose between clergy and laity, monasteries were more frequently involved, followed only at a clear distance by priests and bishops. Conflicts between dukes or the advocates of the fisc played only a marginal role.

In general, the conflicts related to the legal possession of property and land, income and churches. However, we do find some other cases such as confiscation of property on the grounds of nonfulfilment of duties[10] or the dismissal of a priest.[11]

Advocates acting on behalf of ecclesiastical institutions, and thus able to draw on their archives are, as might be expected, usually found to have presented the lion's share of the documents before the court. Abbots and monasteries submitted documents in nearly four out of five cases, while bishops produced writings in more than 60 per cent of all proceedings, and priests and convents in a little less than 50 per cent. Laymen tried to prove their rights by presenting documents in one-third of all conflicts. Monasteries and bishops thus exercised a definite monopoly presenting documents, issued a long while before, especially in the case of royal charters, which could have been issued more than a hundred years earlier.[12] But in general these documents were not much older than a few years or at best a generation.[13] The largest proportion of these were notarial charters. Some 20 per cent were royal charters and in only two cases were papal charters mentioned.[14]

It is interesting to see how many documents were presented in each case. In the majority of all proceedings only one instrument was showed by one of the parties. But on occasions, legal claims were proved by a whole bundle of parchments and, in one quite exceptional case, as many as eight documents.[15] Advocates of monasteries documented their claims in 21 per cent of all cases with two or more

[10] Manaresi, 15.

[11] Manaresi, 16, 26.

[12] Manaresi, 46, 53, 59, 195, 254, 271; Volpini, 3.

[13] See, for example, Manaresi, 8, 11, 14, 15. Cf. Thea Vienken, *Die Geltungsdauer rechtlicher Dokumente im früh- und hochmittelalterlichen Reich* (Marburg: Elwert, 1941).

[14] Manaresi, 34, 164.

[15] Manaresi, 195.

documents,[16] bishops in nearly 13 per cent,[17] representatives of churches in 11 per cent,[18] whilst laymen did so only in 5 percent of all proceedings.[19]

During the presentation of evidence, the documents were read out, and this was specially mentioned in the pleas. In many cases, the opponent accepted the document and its content, which immediately brought the trial to an end. The conflict between Abbot Mauroald of the Abbey of Farfa and a certain Liutprand, who at first refused to accept the donation made by his nephew in favour of the monastery, but subsequently, after the public reading of the document, admitted the legitimacy of the transaction, appears unspectacular but, in fact, provides a very good example.[20] As long as the documents could be presented and their authenticity remained unchallenged, their importance was such that they decided the process. This happened in the majority of the proceedings and it can, therefore, be considered the norm.

So what happened in the other cases? Occasionally the respective charters could not be presented because the documents had been destroyed by one of the opposing parties. Very early examples of this activity survive. In a conflict of 786 between two priests concerning a church, one of them was accused of having stolen and destroyed a charter that confirmed the rights of the other.[21] In April 806, the Abbey of San Zeno accused Count Vulvelmus of having forced his way into the monastery and of having destroyed a precept of King Desiderius.[22] A third case from 781 is slightly different: after some hesitation two laymen had been forced to admit that they themselves had burned a *placitum* of an earlier process, which seemed unfavourable to them.[23] In these proceedings the content of the documents were investigated and reconstructed by testimony. Additionally, the offenders were fined for the destruction of the document.

It was more usual that, in the course of the process, one of the opposing parties — often the defendant, and in transmitted cases, almost exclusively a member of

[16] Manaresi, 28, 37, 50, 58, 64, 82, 102, 271 (three documents:) 32, 36, 41, 67, 161 (four documents:) 30, (five documents:) 249 = Volpini, 15, (eight documents:) 195.

[17] Volpini, 1, Manaresi, 57; Volpini, 34 (six documents:) 164.

[18] Manaresi, 11, 47, 71, 105, 305.

[19] Manaresi, 46, 73, 94, 134.

[20] Manaresi, 13.

[21] Manaresi, 7.

[22] Manaresi, 18.

[23] Manaresi, 5, 7.

the laity — had to admit that they never held such a document. If during the entry of proofs one party claimed to hold a document, that party was asked to present it in a following plea. If one party was unable to comply, the court decided almost automatically in favour of the other.[24]

In isolated cases, documents presented to the court did not substantiate the facts being claimed.[25] In 833, Vigilius, Abbot of Sant'Antimo, presented a precept of Charlemagne to underline the rights of his monastery in a conflict with the Bishop of Arezzo concerning the Abbey of San Pietro d'Asso. But the document neither mentioned his abbey nor proved the fact.[26] In a legal dispute of 865 over the ownership of a field between the Church of Santa Maria in Lucca and a certain Minto, Minto referred to a document in which this field was not even mentioned. If we do not wish to imply maliciousness, we must assume that Minto did not know the exact content of the document and also that he probably could not read.[27] Of course, in this or similar cases, the court decided in favour of the opposing party.

More difficult for the judges were those cases in which the opponents presented contradictory documents. All the transmitted examples date from the ninth and tenth centuries.[28] Representatives of all social groups were involved in these processes. Provided that the documents were authenticated, the royal charter had, as to be expected, more weight than any other document[29] and an older document was preferred to a later one.[30]

Special procedures became necessary whenever a document was presented and not accepted by the opposing party. Eighteen such cases are mentioned in the pleas from the whole period, making up about 15 per cent of the documents presented in trials.[31] However, it was usually not the authenticity of the document itself which was challenged, but rather its legal content. Frequently, the issuer of

[24] Manaresi, 56, 97, 189, 311 = Volpini, 24.

[25] Manaresi, 8, 42, 43, 69.

[26] Manaresi, 42.

[27] Manaresi, 69.

[28] Manaresi, 14, 15, 16, 22, 48; Volpini, 4, 90, 161, 268 = Volpini 10 (to 19 October 973). Cf. Sutherland, 'Aspects', p. 110.

[29] Manaresi, 161.

[30] Manaresi, 22, 48.

[31] Manaresi, 29, 33 = Volpini, 2, 36, 38, 43, 51, 60, 69, 70, 94, 96, 124, 170, 201, 236, 276, 294, Volpini, 35.

the presented document, often already deceased, was denied the right of disposal. For example, Benedict, representative of the Church of Lucca, rejected a charter in a trial in 815 because, from his point of view, Gheiprand, the issuer, held no rights to the property.[32] Another most interesting case is testified in Fiesso. The inhabitants of this place accused Peter, Abbot of Nonantola, of not allowing them to fish or to put their cattle out to pasture in the area of Fiesso and Reggio. The abbey referred to a previously successful plea on the matter and two *precepta* by the kings Aistulf and Desiderius. The plaintiffs challenged the *notitia iudicati* as *falsa*, referring to the content but not to the authenticity of the document, which was confirmed by those present in court. They then attempted to prove their claim that the content was wrong through a *preceptum* of King Liutprand, although this could not be presented at the previous plea, because it could not be found. It is clear that the inhabitants attempted to outdo the later documents of the abbey by producing the older royal charter. However, the extract of the precept, as read out and inserted, is itself suspect. The judges either did not see or at least did not mention this. On the contrary, they pointed out, that at that time the rights no longer belonged to the fisc and conceded that the monastery was correct. Secretly they must have had fears that at least those three of the plaintiffs who had been condemned would be likely to suffer corporal punishment for the repeated presentation of a case which had already been dealt with.[33]

Indeed, there were cases in which the documents themselves were referred to as falsifications, without mentioning the reason for this suspicion in the pleas.[34] The statement of suspicion of falsification could go hand in hand with the offer to decide the trial by legal duel. At least three such examples have survived. The earliest one, which has already been mentioned, is dated 972;[35] the later examples are from 998 and 1045.[36] There is no evidence that a duel actually took place or how it ended. Taking into consideration that there are only a very few such examples, these cases obviously do not reflect the normal procedure.[37]

[32] Manaresi, 29.

[33] Manaresi, 36.

[34] Manaresi, 60, 276, 294.

[35] Manaresi, 170.

[36] Manaresi, 236, and Volpini, 35.

[37] Sutherland, 'Aspects', pp. 110–11; Bougard, *La justice*, pp. 334–39.

It is worthwhile to take a closer look at the procedures that developed after the ninth century. In the procedure called *ostensio cartae*,[38] a party came before the court and presented the assembly with one or more documents.[39] After reading these out, the judges questioned the person as to why he had presented the charter. The stereotypical response was so that the legal content 'should neither be hidden nor kept secret'.[40] Then frequently, a certain person or group present at the assembly would be asked whether or not they accepted this charter and its content.[41] Finally the court issued a plea documenting the presentation of the charter, the enquiry, and the acceptance. In most cases the previously presented charter was fitted into this plea.

It was not only representatives of ecclesiastical institutions that used this procedure; the laity did as well, the latter occurring in twenty-seven of seventy-nine surviving cases. Within the clergy the bishops headed the list, followed by abbots and priests. These pleas usually concerned donations, purchases, or exchange deals, but we can also find the confirmation of a liberation[42] or the confirmation of legal claims such as interests and incomes.[43]

Twenty-one of the confirmed documents were between one and ten years old,[44] eight more up to twenty years,[45] five between twenty and fifty years,[46] and nine were more than fifty years old.[47] Ecclesiastical institutions were responsible for exclusively presenting all documents older than a generation.[48] Interestingly,

[38] Bougard, *La justice*, pp. 319–29. Sutherland, 'Aspects', coins the term 'declatory judgement' for *ostensio cartae*.

[39] In one exceptional case a royal *epistola*, which was read out and later inserted in the plea, legitimate only the royal missus; Manaresi, 288. Two documents were presented in Manaresi, 128, 136, 139, 158, 289, three in Manaresi, 106, 119, 362, four in Manaresi, 142, 206 and five in Manaresi, 99.

[40] See, for example, Manaresi, 99, 118, 120, 125, 128, 136, 137, 139, 289.

[41] See, for example, Manaresi, 128, 136, 137.

[42] Manaresi, 113.

[43] Manaresi, 91, 120.

[44] Manaresi, 107, 113, 125, 128 (two documents:), 136, 139 (two documents:), 142, 151, 153 = Rinaldi-Villani-Golinelli, 8, 157, 196, 206, 207, 232, 273, 288, 289 (two documents:), 337.

[45] Manaresi, 114, 194 = Rinaldi-Villani-Golinelli, 12, 206, 262, 283, 299, 354, 362.

[46] Manaresi, 118, 120, 136, 168, 205.

[47] Manaresi, 106 (three documents:), 119 (three documents:), 213, 291, 293.

[48] With one exception: Two brothers, Peter and Ottebert, presented in December 983 a *cartula commutationis* of the Bishop of Penne, which dated from 953: Manaresi, 205.

the vast majority of legal transactions had been concluded less than a year before,[49] with many of them being issued on the same day or only few days later.[50] This observation argues against research that seeks to explain the purpose of the *ostensio cartae* in terms of a real or a fictive legal dispute which lay behind it. And it supports the opinion of François Bougard, who rightly draws attention to the fact that in fewer than half of all cases, a possible dispute can be assumed.[51] The legal advantages of the procedure were the publicity guaranteed in trial and the publication of the otherwise private transactions — probably more than the fact that 'two documents were better than one even when both said essentially the same thing'.[52]

The documentary evidence played a minimal role in the other procedures. The *investitura salva querela* occurred regularly without the presentation of documents. In about sixty transmitted pleas only four documents were cited to prove legal rights.[53] In a further twelve cases, writings summoning a certain person to a *placitum*[54] were mentioned. These documents, normally called *epistolae*, were occasionally read out at the opening of the trial or even inserted in the plea. They served exclusively to legitimate the process and did not in themselves constitute evidence.

To conclude, it is interesting to look at the pleas which either do not mention documents at all or in which documents are mentioned only in general. Often a defender was encouraged to prove his statement *per cartulam aut testimonia*.[55] This meant that in principle there was a choice between both possible types of evidence. But during the course of the process it normally turned out that the defender could not present a charter. Just as often a compromise was introduced at the end of the process by a renunciation of all claims because the person admitted that he did not have any legal claims *nec per hereditatem, nec per cartulam, neque per ullam scriptionem nec per ullam inventam rationem*.[56] The lack of documents in these cases can partly be explained by the legal objectives

[49] See, for example, Manaresi, 91, 99, 137.

[50] See, for example, Manaresi, 208, 217, 230, and Manaresi, 147, 148, 149.

[51] Bougard, *La justice*, pp. 319–29.

[52] Radding, *The Origins*, p. 63.

[53] Manaresi, 227, 280, 285, 348.

[54] Manaresi, 111, 132, 140, 165, 345, 347, 348, 377, and Volpini, 31.

[55] See, for example, Manaresi, 6, 9, 162, 163, 167.

[56] See, for example, Manaresi, 163; cf. Manaresi, 162, 167, 174.

themselves, which were discussed before the court. Documents should not necessarily be expected to be found when the disputes concerned, for example, the election of an abbot,[57] bondages,[58] compensations,[59] or demarcations of land property.[60] Nevertheless, even general property disputes were treated in the court without presenting documents.[61]

In conclusion, the number of mentioned and presented documents in the early-medieval Italian pleas was, on the whole, declining, and the ratio of the documents presented in trials clearly diminished. While in the first half of the ninth century documents were presented in 80 per cent of disputes, only about 30 per cent can be found by the first half of the eleventh century. The trials were based increasingly on the evidence of testimony. That does not necessarily mean that documents suffered any diminution in their authority. Instead we can assume that pleas became more and more necessary, where no documents existed to easily prove rights. The credibility and acceptance of documents were, in the meantime, obviously widespread and prevented expansive and time-consuming processes. Connected to this was the procedure called *ostensio cartae*, which developed from the ninth century. As a precaution in cases of doubt, the courts additionally confirmed documents. It might sound paradoxical, but the observed decline of the presentation of documents before a court in trial is intimately connected to an increase in their legal importance.

[57] Manaresi, 169.

[58] See, for example, Manaresi, 49; Volpini, 5, 110.

[59] Manaresi, 155.

[60] Manaresi, 93.

[61] See, for example, Manaresi, 35, 51. 61.

Authorizing the Supernatural: An Examination of Some English Miracles around 1318

R. C. Finucane

Papal authority to canonize saints evolved during the reign of Alexander III (1159–81) and was consolidated by Innocent III (1198–1216) and Gregory IX (1227–41). Concurrently, canonists developed increasingly specific rules of the game: in addition to an orthodox and virtuous life, miracles were to be performed by a candidate for sainthood both before and after death. Since it was obvious that anyone could invent a pious outward persona while living a secret life of vice and sin, and furthermore since wonders (*mirabilia*) could occur through the agency of demons, the devil, magic, or evil people, the burden of proof of sanctity fell on 'true' miracles (*miracula*) continually performed after death. Consequently, during the thirteenth and subsequent centuries, canonists and theologians devised guidelines for determining whether a particular posthumous wonder was a 'proven' miracle. Authorizing the miracle subsequently helped to authorize a would-be saint. Machinery for testing miracles included gathering sworn testimony, using inquisitorial techniques, from those who had benefited from or witnessed them, including sometimes physically examining purported beneficiaries; passing the depositions up to curial committees of Auditors of the Rota and cardinals for their examination — which might involve taking additional testimony from physicians, canonists, and theologians — and submitting summary findings and conclusions for the consideration of cardinals and the pope, who had the last word in the matter. Indeed, it is the formal examination of miracles which lies at the core of what was thought to constitute their authority.

In Vauchez's lengthy study of sainthood in the later Middle Ages, two documents were included as appendices, both referring to the process for Thomas Cantilupe, Bishop of Hereford († 1282), canonized in 1320. The second document (Annexe II), of a few pages, concerns some hostile Franciscan depositions; the first, far lengthier document (Annexe I) — the focus of the present study — is called a 'Report of a Curialist' on Cantilupe's life and miracles, written between 1318 and 1320. A transcription of BN MS 5373A, fols 66^{r}–69^{v}, it takes up fifteen pages of Latin text. The document's author proposes to examine twenty-eight miracles attributed to Cantilupe; Vauchez finds twenty-six, but by an alternative count, twenty-one miracles were discussed.[1] Vauchez claims that this is a 'text of exceptional interest', to his knowledge the 'only medieval document' providing details about 'how the clergy reacted in the face of the supernatural'. Three of the miracles will be examined in what follows.

[1] André Vauchez, *La Sainteté en Occident aux derniers siècles du moyen âge* (Rome: École française de Rome, 1981), pp. 633–47 (Annexe I, the BN MS), pp. 649–52 (Annexe II, from MS Vat Lat 4015, fols 45^{v}–48^{v}) (Engl. trans. by Jean Birrell, *Sainthood in the Later Middle Ages* (Cambridge: Cambridge University Press, 1997), pp. 540–54 (Appendix 1), pp. 555–58 (Appendix 2)). MS Vat Lat 4015 is a transcript of the Cantilupe inquisition *in partibus* (London and Hereford) of 1307. Some emendations of Vauchez's reading of the BN MS follow, based upon a clearer copy in Oxford, Exeter College, MS 158, fols 48^{v}–59^{v}, compared with a photocopy of BN 5373 A. Minor variations/transpositions are ignored. The page and line of the French edition is provided, followed by the Vauchez readings, then corrections: p. 633, l. 6, transmisse > transmissise; 634, 11, Hinc ante > habuit enim; 634, 12, marcos redditus > marcatus annui redditus; 634, 14, felicis recordationis > sede Romana; 634, 16, exilio > concilio; 635, 18, videtur > etiam; 635, 32, exeuntis > ex cunctis; 636, 19, super oculis suis et manus super manus et incurvavit > super oculo eius et manus suas super manus eius et mensuravit; 636, 32, convertente > comitante; 637, 21, dictum > dominum; 637, 25, mater > natus; 638, 10, quoniam > quomodo; 639, 4–10, are misplaced, belonging on p. 638 at the end of l. 12; 639, 1, generis > genus; 639, 6, presentes > parentes; 639, 13, Wayn > Weya; 639, 16, stato > etate; 639, 29, attractu > attractatu; 639, 30 between aer [and] sine, add attractus; 639, 38, aubsequentia > subsequentia; 639, 39, resurrectionem > resuscitationem; 640, 2, indigne > ex igne; 640, 31, propre > prope; 642, 8, mirandum > miraculum; 642, 16, eius > enim; 642, 22, iuncturarum > (?) victuarum; 642, 26, calor naturalis > color naturaliter; 642, 29, hoc > homo; 643, 2, quia > quorum; 643, 20, curate > (?) curvate; 643, 31, rursum > iterum; 643, 37, repeterit > repetiit [and] a Deo > ideo; 645, 3, ex respiratione > ex cespitatione [stumbling]; 645, 9, aleniatio > alleviatio; 645, 14, visionibus [...] dicetur should follow de talibus of line 12; 645, 23, sanatione > fictione; 645, 32, sanctum > beatum; 645, footnote, testes tractatam et quo ad obcecationem > testes et quo iteratam obcecationem; 646, 1, ut > et; 646, 7, consistentibus > confluentibus; 646, 9, tangentem > tergentem.

The first miracle is of the traditional type, against which the other two can be compared. One Tuesday afternoon little John was pulled, 'dead', from a pond in a Herefordshire village.[2] He revived after appeals to St Thomas, opening first one eye, then the other, and then his mouth; by Friday he could speak again, and by Sunday he could walk. When giving evidence about this event three years later, John's mother, Edith, claimed that it took three weeks for her son to regain his health, which, however, never was as good as before the accident. Furthermore, she claimed that, as a result of falling into the water, her son's eyes and the skin around his nose had, ever since that day, exhibited yellow-green discolourations.[3] After giving this testimony, she showed John to the papal commissioners, and they and their notaries and other dignitaries duly examined the child, confirming Edith's observations as to these discolourations.

Our so-called curialist provided, as he often did elsewhere, two sets of questions and responses (*dubia/solutiones*).[4] The first doubt raised the issue of instantaneity. Opening his discussion with a nice distinction, he writes that it would seem a wonder (*mirum*) if this resuscitation could be ascribed to a miracle (*miraculo*), because it took so long to effect. The assumption is that miracles should occur all at once, with no delays. In fact, this question continued to be debated by late-medieval and early-modern canonists.[5] In this case, the *solutio* drew upon Bede and Mark's Gospel. The first reference is to the *Ecclesiastical History*, Book V, where a nun's arm, swollen because of phlebotomy, healed only gradually, not immediately; and to Mark 9 (not 5, as in Vauchez), where a demoniac lies as if dead, for a space of time, after Jesus cures him. These delays, our writer suggests, arose from the tepid devotion of those praying for a cure: in the Hereford case, John's parents did not immediately turn to spiritual help after discovering their drowned child, which — for our author — explains the delay.

[2] MS Vat Lat 4015, fols 140^{r}–46^{r}, the resuscitation of John, son of William Drake of Little Markle.

[3] MS Vat Lat 4015, *intersignis*, fol. 141^{v}.

[4] Oxford MS Exon Coll. 158, fols 52^{r}–53^{v}, BN 5373A, 67^{r-v} = Vauchez, *La Sainteté*, pp. 637–39 (*Sainthood*, trans. by Birrell, pp. 544–46).

[5] See, for instance, the fifteenth-century canonist Troylus Malvetius, *On the Canonization of Saints*, in *Tractatus Illustrium in utraque tum pontificii, tum Caesarei iuris facultate Iurisconsultorum*, bk XIV (Venice: [n. pub.], 1584), fol. 100^{v}. On Malvetius, see Johann F. von Schulte, *Die Geschichte der Quellen und Literatur des Canonischen Rechts*, 3 vols (Stuttgart: Enke, 1875–80/89), II, 310, n. 31.

The second *dubium* turns to the discolouration: if this were a miracle, why was not all of the boy's body returned to its pristine condition; why did these discolourations appear, given the divine power to restore health completely? Once again, Bede is cited in the *solutio*, but this time it is his homily on Luke: after he arose from the dead, Christ's body exhibited his wounds as proof that he truly was human and as signs of his victory over death. It is also believed, continues our writer, that at the resurrection, all the martyrs' bodies will show the scars of their sacrifice, as signs of victory. Augustine, *City of God*, Book XXII, he notes, supports this contention.

The second example moves us from the theological to the realms of Thomistic and natural philosophy. A girl who died of an accident was miraculously returned to life, as two witnesses testified.[6] Only a single *dubium* was raised as to this case: were the customary signs of death, in the apparently dead body, sufficient *indices* of true death? In other words, in this particular instance, was the girl 'really' dead? This question is germane to all miraculous resuscitations from death.[7] Five signs of death were presented, as follows: (1) immobility of corpse and limbs; (2) rigidity of joints; (3) coldness; (4) lack of breath; and (5) failure of all the senses.

The *solutio* to this question is presented within the Aristotelian/Thomistic context of the faculties of soul: vegetative, sensitive, appetitive, locomotive, and intellectual, without, however, explicit reference to Aristotle's or Thomas's works. Our author argues, first, that since the soul is form and mover of the body, its absence must result in death. The problem then becomes, how do we show that it is absent? Deficiency in bodily movement and inflexibility of limbs indicate that the soul is no longer united to the body as mover (its locomotive function or faculty has ceased). Secondly, failure of all the senses, and the absence of the sensitive soul, are correlated. In addition, when the heart no longer beats, and breathing does not occur, this suggests that the vegetative soul is lacking too, since the heart's natural heat is extinct. Some parts of the heart of a living, or recently dead, animal, our author notes, are so hot, as experience (*experimentum*) teaches, that a man cannot keep his finger on that part, just as he cannot keep his finger in a fire without burning it. (By the early sixteenth century this burning finger motif was 'curiously widespread as a piece of apparent direct sensory observation', part

[6] MSS Vat Lat 4015, fol. 244^{r}; Oxford: Exeter Coll. 158, fols 56^{r-v}, BN 5373A, fol. 68^{r} = Vauchez, *La Sainteté*, p. 642 (*Sainthood*, trans. by Birrell, p. 549).

[7] For discussion of this issue, see Christian Krötzl, 'Evidentissima signa mortis: Zu Tod und Todesfeststellung in mittelalterlichen Mirakelberichten', in *Symbole des Alltags — Alltag der Symbole: Festschrift für Harry Kühnel zum 65. Geburtstag* (Graz: ADEVA, 1992), pp. 765–75.

of the greater nexus of debate over Aristotelian physiology.)[8] Since animals breathe in order to cool down this heat (an Aristotelian/Galenic precept), lack of breath and coldness of the body indicate lack of heat, which is, as Aquinas wrote, a function of the vegetative soul.[9] When, therefore, concludes our writer, the soul is no longer united to the body, the above signs of death result. Consequently, these signs *are* true indicators of real death. A marginal note adds: 'medical authorities also assert this.' This is the only reference to such authorities in the entire document.[10]

The third example would seem to move us into natural philosophy.[11] Very early on a September morning in 1303, little Roger, less than three years of age, was found lying at the bottom of the dry ditch surrounding King Edward I's recently built Conway castle.[12] Although the child's body appeared to be relatively uninjured, the coroners' jury called to the scene declared Roger dead. Since there were no witnesses to the manner by which the child ended up thirty-eight feet below the drawbridge, it was assumed that he had wandered out of his house in the early morning hours and headed for the castle where he sometimes went with his father, a cook. Because the drawbridge was raised, in the dark he had fallen into the ditch and died. Subsequently, he miraculously revived.

This miracle evoked two *dubia* from our commentator.[13] First, if Roger had really fallen in that manner, how did it happen that his small, tender body was not seriously mangled when it hit the rocky bottom of the ditch? And secondly, assuming that he was actually dead, yet appeared to be relatively unharmed, what could have killed him? Why would he have died? The response to the first *dubium* explains Roger's relatively unscathed appearance by two solutions, deriving from the authority of traditional Aristotelianism: he did not weigh as much as a grown man, and therefore would have hit the bottom with less force than a grown man.

[8] Roger French, *Dissection and Vivisection in the European Renaissance* (Aldershot: Ashgate, 1999), p. 209.

[9] Summa Theol., Q. 78 Arts. 1–2, in *Summa Theologica*, trans. by Fathers of the English Dominican Province, 3 vols (New York: Benziger, 1946–48), I, 390–92.

[10] MSS Exon. 158, fol. 56^{v}, BN 5373A, fol. 68^{r}.

[11] MS Vat Lat 4015, fols 188^{r}–203^{v}.

[12] I have discussed this event at length in 'The Toddler in the Ditch: A Case of Parental Neglect?', *Voices from the Bench: The Narratives of Lesser Folk in Medieval Trials*, ed. by Michael Goodich (Basingstoke: Palgrave/Macmillan, 2006), pp. 127–48.

[13] MSS Exon. 158, fols 54^{v}–55^{v}, BN 5373A, fol. 67^{v}–68^{r} = Vauchez, *La Sainteté*, pp. 640–41 (*Sainthood*, trans. by Birrell, p. 547–48).

As he was so much the lighter, his landing was so much the softer.[14] Secondly, since an object will exert less force on landing if, in the last moments of fall, it is deflected from a perpendicular line of descent, it must have been that Roger's body had been deflected from the perpendicular. This could have been done, the writer continues, by the flailing of his arms and legs as he fell. In addition, if part of his body contacted the surface before the rest of his body, then the damage would have been lessened. To back up these contentions the writer notes, first, that Roger's legs were at markedly different angles, which suggested that he had been flailing about; and second, since the body showed bruising on only one side of the jaw and hip, he may have put out a hand to stop his fall, resulting in a twisting motion which lessened the force of impact.

Moving then to the second *dubium*, if the body was relatively uninjured, what caused death? If he was so unblemished, perhaps the boy was not really dead? The author begins his *solutio* by emphasizing that the child was, indeed, quite dead: the *signa mortis* included coldness — in fact there was frost on the boy's body — rigidity of limbs, lack of motion and powers of sensation, and deprivation of breath. These signs had lasted a significant length of time as well. We recognize these same five signs of death as in the miracle previously examined. Witnesses saw and attested to these indications. What had killed him? Death could have occurred because of internal injuries, our writer notes, backing up this claim with an example of an eighteen-year-old boy who fell a distance of fifty feet. In falling, the boy flailed about, landing with no evident external trauma. Internally, however, he was so damaged that he is (present tense) still listless, and suffers, and will be impaired. This event, vouched for by a certain master in theology, was said to have occurred in the house of the lord Cardinal Jacobo Colonna, now dead.[15] Other possible causes of death while falling from such heights included fear and the movement of the air.[16] Our author does not explain this last suggestion, unfortunately. He finished his discussion by noting that Roger's mother was instrumental in securing his miraculous freedom from trauma, and equally miraculous resuscitation, by imploring the aid of St Thomas for herself and the

[14] Aristotle, *Physics*, bk III, chap. 6 (206a); IV, 1 (208a); IV, 9 (216b); IV,10 (217b); VII, 5 (249b); VIII, 3 (253b); VIII, 4 (254b) for the dynamics of motion and kinematics of falling bodies.

[15] He died on 14 August 1318, which helps to date this document.

[16] On the physical consequences of fear, see David Gentilcore, 'The Fear of Disease and the Disease of Fear', in *Fear in Early Modern Society*, ed. by William Naphy and Penny Roberts (Manchester: Manchester University Press, 1997), pp. 184–208 (pp. 194–98).

infant when she was still carrying him in her womb. The tract concludes with a reference to John 9, on the curing of someone blind from birth.

A preliminary question is, who wrote the Cantilupe text? Vauchez attributes it to the work of an Avignon 'curialist of high rank (perhaps a cardinal)'.[17] Another scholar, Aviad Kleinberg, in an informative article published in 1989, says that this text is one of the few surviving critiques of miracles from a medieval canonization process. He suggests that it was written by a theologian.[18] A third scholar to discuss this manuscript is Patrick Daly, whose Lausanne doctorate examined Cantilupe's canonization, and who served for a time in Rome working up canonization dossiers before becoming a parish priest in England. He believes that it was composed by a 'junior curial cleric'.[19] Vauchez suggests that the author 'was probably English', since he used Bede — but familiarity with Bede was hardly confined to England. Kleinberg also sees an English hand behind our text, adding that the terminology 'may suggest' an Oxford education. This is as far as it goes. I will only venture to recall that Hereford Cathedral School has been characterized as 'probably one of the main centres in England' for scientific and mathematical studies (the *quadrivium*) well into the thirteenth century.[20] Could our author have been grounded in such studies at this place, the site of Cantilupe's burial in 1283? Furthermore, during the fourteenth century a group of scholars at Merton College, Oxford, were re-examining Aristotelian approaches to kinematics and dynamics.[21] If our man was an Oxonian, could some of this activity have affected his approach? Though it is asserted that our writer was a curialist, there is no evidence that he was connected with the Curia, except for the

[17] Vauchez, *La Sainteté*, pp. 569–70 (*Sainthood*, trans. by Birrell, pp. 488–89).

[18] Aviad M. Kleinberg, 'Proving Sanctity: Selection and Authentication of Saints in the Later Middle Ages', *Viator*, 20 (1989), 183–205 (pp. 203–05).

[19] Patrick H. Daly, 'The Process of Canonization in the Thirteenth and Early Fourteenth Centuries', in *St Thomas Cantilupe Bishop of Hereford: Essays in His Honour*, ed. by Meryl Jancey (Hereford: Friends of Hereford Cathedral Publications, 1982), pp. 125–35 (pp. 134–35).

[20] Kathleen Edwards, *The English Secular Cathedrals in the Middle Ages* (Manchester: Manchester University Press, 1967), pp. 189–90; Alan B. Cobban, *The Medieval English Universities: Oxford and Cambridge to c.1500* (Berkeley: University of California Press, 1988; repr. 1990), pp. 27–28.

[21] David C. Lindberg, *The Beginnings of Western Science* (Chicago: University of Chicago Press, 1992), pp. 295–304. Lindberg acknowledges that the 'intellectual framework of medieval theories of motion is a conceptual jungle' (p. 291).

relationship between his text and the canonization bull: the first five miracles in the papal bull are also the first five of this document; but the last set of five in the bull do not conform so neatly.[22]

What makes this text unique? How does it differ from hundreds of other miracle collections written up at shrines, and later rewritten, digested, categorized, and, in a very few lucky cases, whittled down to a dozen or so contained in papal bulls of canonization? It is a paradox that while we have extensive reports of *in partibus* inquisitions for later medieval processes, there is a gap in the documentation between these preliminary hearings and resultant papal bulls of canonization. The document under discussion here would fall somewhere in the gap, but attempts to show precisely where have so far been unconvincing. Once canonization documents were forwarded to the Curia at Avignon or Rome, other documents were bureaucratically generated at the Curia; it is this second generation that has vanished into the coffers of some papal secretary or notary whose descendants threw out such old rubbish, or into a cardinal's library, or into in the 'wrong' cabinet at the Vatican which means, usually, that it is gone forever. The Congregation of Rites, founded in 1588 to oversee — inter alia — canonizations, did not have its own archive until 1624.[23] Survival was precarious: on 11 May 1313 a cardinal joining his colleagues gathered to discuss Cantilupe's canonization brought along books, rolls, and a leather-covered box, secured with metal straps, that contained some two dozen documents crucial to the dead bishop's process; he'd received the box from another cardinal previously involved in the case.[24] On 19 September 1857 Zaccaria Panzini presented to Pius IX (1846–78) a box of forty-two documents (originals and copies) regarding St Hyacinth of Poland († 1257), canonized in 1594. Panzini had acquired 'these treasures' from 'private hands' (*da mani private*), namely the domestic archives of a family that included among its long-dead members the Apostolic Protonotary who had played a part in the canonization.[25]

[22] Giusto Fontanini, *Codex constitutionum quas summi pontifices ediderunt in solemni canonizatione sanctorum a Johanne XV ad Benedictum XIII* (Rome: [n. pub.], 1729), pp. 131–34.

[23] Simon Ditchfield, *Liturgy, Sanctity and History in Tridentine Italy* (Cambridge: Cambridge University Press, 1995), p. 48. On this Congregation, see Giovanni Papa, *Le cause di canonizzazione nel primo periodo della Congregazione dei Riti (1588–1634)* (Rome: Urbaniana University Press, 2001).

[24] MS Vat Ottob. Lat. 2516, fols 44^{r}–46^{v}.

[25] Archivio della Congregazione per le cause dei santi (ex Riti), Rome, a box made to look like a book, marked R 53, 'Documenta Autographa Canonisationis B. Hyacinthi Poloni Ordini

Medieval canonization documents, at least of significant length, surviving from the curial level are rare: in the Vincent Ferrer case, for instance, Laura Smoller writes, 'Unfortunately, we cannot know how the cardinals in Rome looked upon these [miracle] stories, for the records of the canonization proceedings in Rome are lost.'[26] Vauchez, in tracing the process for Philip, archbishop of Bourges († 1261), takes the story as far as 1364 in Avignon after which, he observes, 'we lose track of the cause.'[27] He also comments on the loss of curial documentation in the canonization of Charles of Blois.[28] In describing Aquinas's canonization, Gerulaitis noted that once the documents were delivered to John XXII, who turned them over to some of his cardinals, there is 'lack of documentation for the following period'.[29] Generally speaking, claims about 'the entire process' of a particular medieval canonization refer, upon examination, to preliminary hearings only.[30] It is not until the later sixteenth century that a series of documents indicating the whole range of events — from what went on out in the local preliminary inquisitions, to the legal, theological, and medical discussions at the Curia, to consistorial debate and voting by cardinals — begin their perilous course of survival.[31] Apart from its content (see below) our

Praedicatorum', containing Panzini's letter and much else besides; see R. Finucane 'Saint-Making at the End of the Sixteenth Century: How and Why Jacek of Poland (d. 1257) became St Hyacinth in 1594', *Hagiographica*, 9 (2002), 207–58, addendum.

[26] Laura A. Smoller, 'Miracle, Memory, and Meaning in the Canonization of Vincent Ferrer, 1453–1454', *Speculum*, 73 (1998), 429–54 (p. 453).

[27] Vauchez, *La Sainteté*, pp. 73–74, n. 6 (*Sainthood*, trans. by Birrell, pp. 63–64, n. 6), a concise summary of the vicissitudes of the history of this cult (and no doubt others).

[28] André Vauchez, 'Canonisation et politique au XIV^e^ siècle: Documents inédits des Archives du Vatican rélatifs au procès de canonisation de Charles de Blois, duc de Bretagne', in *Miscellanea in onore de Monsignor Martino Giusti, Prefetto dell'Archivio Segreto Vaticano*, 2 vols (Rome: Editrice Vaticana, 1978), II, 381–404 (p. 389).

[29] Leo V. Gerulaitis, 'The Canonization of Saint Thomas Aquinas', *Vivarium*, 5 (1967), 25–46 (p. 39).

[30] For example, Carruthers's reference, regarding the Aquinas case, to 'full accounts [...] from the hearings held for his canonization', citing *Acta Sanctorum*. Mary J. Carruthers, *The Book of Memory* (Cambridge: Cambridge University Press, 1990), p. 4. Her comment is valid for preliminary hearings only. Occasional survivals of curial documents for medieval cases are noted by Vauchez, *La Sainteté*, pp. 661–64 (*Sainthood*, trans. by Birrell, pp. 565–67)

[31] For further observations on survival rates, see the exhaustive survey of late-medieval procedures by Thomas Wetzstein, *Heilige vor Gericht: Das Kanonisationsverfahren im europäischen Spätmittelalter* (Cologne: Böhlau, 2004), pp. 464–65; he wonders (es kann [...] mit

document is unusual not only in the fact that it survived but that it did so in three copies, now in England, France, and Rome (in La Sapienza, but apparently not in the Vatican).[32] Normally, originals of *in partibus* processes were kept at the sites of the inquisitions, notarized copies being sent to the papal Curia for further action and yet more documentation. There, as we have seen, many parchment trails ended. Since we have three copies in Cantilupe's case, there may have been something unusual about it, which resulted in its triplication. On the other hand, we cannot reject the possibility that similar documents existed for other medieval saints, which have not survived.

As for the document's purportedly unusual content, for Kleinberg the Cantilupe text conveys 'one of the first signs of the influence of scientific thought on the process of canonization'.[33] However, the authorities cited in this document turn out to be exclusively 'religious': the four evangelists, Acts and the Epistle to the Hebrews; the Old Testament books of Genesis and Kings; Augustine, *City of God*; Bede's homily on Luke and his *Ecclesiastical History*; Clement's *Itinerary*; *Dialogues* of Gregory the Great; *Life* of Hippolytus; and the lives of St Francis and St Nicholas. On the one hand, this would seem to negate a 'scientific' approach; on the other hand, the details (in Roger's case anyway) also seem to reflect reliance on physical analysis per se, without reference to legal or medical authorities. Even here, however, the careful examination of Roger's body, with a description of its physical condition (bent leg, facial bruising, etc.) is hardly 'scientific' in itself, since medieval coroners — English (such as Conway's), papal or otherwise — were quite accustomed to investigating and recording postmortem signs at least a century before the toddler fell into the castle ditch. Those reports were examined by others, and conclusions drawn, just as they were in Cantilupe's case.

Curialists could analyze miracles in quite different ways, as in the *consilium* that Jacobo Colonna's brother, Cardinal Pietro Colonna, prepared for St Louis's late-thirteenth-century process.[34] Kleinberg ranks this with the Cantilupe

Recht bezweifelt werden) whether many processes ever reached the papal Curia after *in partibus* hearings concluded.

[32] Daly, 'Process of Canonization', p. 126, a reference to Biblioteca Alexandrina 99, i.e., Biblioteca dell'Università La Sapienza, Roma; I have not examined this MS. The Oxford scribal hand differs from that of the BN manuscript.

[33] Kleinberg, 'Proving Sanctity', p. 205.

[34] Louis Carolus-Barré, 'Consultation du Cardinal Pietro Colonna sur le IIe miracle de Saint Louis', *Bibliotheque de l'école des chartes*, 117 (1959), 67–72, and Henri-François Delaborde,

instance as the second rare survival of miracle critiques in a canonization context;[35] but how different it was from the first survival. Colonna's *Consilium* citations are almost exclusively legal, including eight from the *Code*, seventeen from the *Digest*; and from canon law seven from Gratian's *Decretum* and fifteen from the *Decretals* of Gregory IX; there is one from the Bible (Exodus 20) and one from Seneca (*De Clementia*). This reminds us that since continental *jus commune* distinguished matters of fact from matters of law, and since fourteenth-century canonizations followed an ever-more legalistic *ordo judiciarius* (the same period that saw the advent of the Auditors of the Rota *eo nomine*), it is possible that whoever prepared our brief was instructed to emphasize only matters of fact, not law.

Laws of proof had been well established by civilians and canonists before 1300; their application to miracles, however, was anything but straightforward. There is an underlying irony to the subject of this paper, which Foucault might have enjoyed, for thirteenth-century theologians and canonists knew that one cannot actually prove a miracle by rational means since its cause is hidden, occult, in God. The corollary, that 'true' miracles could be proved only indirectly, outlasted the Middle Ages. In working up the case for Leopold of Austria, Francesco Pavini observed in 1483 that miracles can be proved only indirectly (*indirecte probari*), a notion echoed over a century later in a report on Raymond de Peñafort drawn up between 1596 and 1600, by the Auditors of the Rota: under the rubric 'How Miracles are Proven', they stated that miracles could not be proved directly, only indirectly (*indirecta probatione*).[36] In fact, according to Troilus Malvetius in the later fifteenth century, one cannot, technically, even testify about miracles as such.[37] Even so, physicians or surgeons were respected witnesses to curative miracles, given their experience and knowledge. However, as Vauchez points out,

'Fragments de l'enquête faite à Saint-Denis en 1282 en vue de la canonisation de Saint Louis', *Memoires de la société de l'histoire de Paris et de l'Île-de-France*, 23 (1896), 1–71.

[35] Kleinberg, 'Proving Sanctity', p. 201.

[36] Leopold in Hieronymus Pez, *Scriptores rerum Austriacarum veteres ac genuini*, 3 vols (Leipzig: 1721–45), I, col. 668; the Peñafort *Relatio* in Città del Vaticano, Archivio Segreto Vaticano [ASV] MS Riti 4216, fol. 83^{r} [alt. 63^{r}].

[37] Malvetius, *Tractatus*, XIV, fols 101^{v} and 102^{r}: 'witness testimony relies upon the senses natural to man; but since a miracle is beyond nature, man cannot testify to it. Rather, a witness testifying about a miracle is not describing it as a miracle (*non deponit de eo, prout est miraculum*), but is testifying about that from which it can be shown to be a miracle (*sed prout ex eo probatur miraculum*).'

their value lay not in 'scientific' observations, but in asserting that a particular illness healed by a saint was medically incurable — thus bolstering the saint's reputation.[38]

Proof of a miracle was, in itself, impossible. What is to be made of those situations in which, as in the cardinals' vote in secret consistory on the miracles of Celestine V, an event is said to be a miracle, but 'not proven' (*non esse probatum*), or insufficiently evidenced (*non probatum sufficienter*)? Presumably the circumstances of the event — a cured fistula, for example — was for some cardinals sufficient for it to be considered miraculous, though with insufficient evidence. It is immaterial that in this particular meeting, voting (in 1313) tended to follow Colonna/Caietano 'party lines'; miracles were cited in the canonization bull regardless of the doubts of a minority of the voting cardinals. (On the other hand, the pro-Celestine cardinal Jacobo Colonna was prepared to accept any of the miracles attributed to the dead pope, and did not care — as he put it — to weary himself in reading attestations about them — *nec in legendis huiusmodi fatigare*.)[39] The issue is how one accepts miracles while rejecting the evidence, how a cardinal can say '*esse miraculum*, sed [...] *nec esse sufficienter probatum*'. What lies behind such a seemingly paradoxical statement is revealed in a process some three centuries later — undoubtedly there are earlier examples — when the cardinals of the Congregation of Rites, working on the canonization of Carlo Borromeo in 1610, rejected a miracle because, as they put it, 'dixissent pie credendum esse hoc *esse miraculum*, tamen *nec esse* plene, et *sufficienter probatum* dixerunt': they would say, speaking out of piety, that this should be believed as a miracle; yet, they said, it was not fully and sufficiently proved, and so was set aside.[40] Then there is the (perhaps more understandable) midrange category of miracles that *melius et clarius probata videntur* from a process of the 1370s.[41]

[38] Vauchez, *La Sainteté,* p. 549 (*Sainthood*, trans. by Birrell, pp. 469–70). See also Joseph Ziegler, '*Ut Dicunt Medici*: Medical Knowledge and Theological Debates in the Second Half of the Thirteenth Century', *Bulletin of the History of Medicine*, 73 (1999), 208–37; and Joseph Ziegler 'Practitioners and Saints: Medical Men in Canonization Processes in the Thirteenth to Fifteenth Centuries', *Social History of Medicine*, 12 (1999), 191–225.

[39] 'Procès-verbal du dernier consistoire secret préparatoire à la canonisation de Pierre Célestin', *Analecta Bollandiana*, 16 (1897), 389–92 and 475–87, especially 476–87; the miracles are listed in the canonization bull in Fontanini, *Codex constitutionum*, pp. 120–22. Discussed in Vauchez, *La Sainteté*, pp. 566-68 (*Sainthood*, trans. by Birrell, pp. 486–87).

[40] Borromeo process, ASV Riti 1681, fols 135^{v}–36^{r}.

[41] Vauchez, *La Sainteté*, p. 563, n. 5 (*Sainthood*, trans. by Birrell, pp. 482–83 n. 5).

Borromeo's process exemplifies another facet of the relationship between miracles and authority. By 1600, details of earlier canonizations commonly bolstered arguments on behalf of a new candidate for sainthood. Borromeo's advocate Augustino de Cruce put forward a miracle involving a woman in labour for twenty days who, after applying some of Borromeo's clothing to herself, was safely delivered of a living infant. Along with citing several medical and legal authorities, Cruce claimed that this delivery was similar to a miracle attributed to St Raymond de Peñafort (canonized nine years earlier). De Cruce went on to repeat, verbatim, a long passage from Raymond's process, citing the very same references. Yet, though the Peñafort miracle was approved and listed in his canonization bull, the Borromeo claim was rejected by the Congregation of Rites.[42] Whether or not an event was truly miraculous seems to have depended, in part, on individual predilections among members of the Congregation of Rites. As Vauchez suggests, however, in general the Curia was not as strict about examining miracles as some contemporaries believed, and often made judgements on miracles based upon 'external considerations'. Although his contention that the Curia tended to deal only with unusual prodigies can be questioned, one must agree with Vauchez that officially authorized late-medieval miracles 'served simply to confirm the validity of a reputation ratified by the hierarchy on the basis of other criteria'.[43] Often, these criteria depended upon political configurations of the moment and had nothing to do with purported 'sanctity'.

Another question prompted by this fourteenth-century document is, did it make much, or any, difference in how miracles were thenceforth treated at the Curia? Even granting the 'scientific' treatment of the Cantilupe miracles, which is open to discussion, the document seems to have had little impact on subsequent processes. In the 1594 canonization of Jacinto (St Hyacinth) of Poland, the authority of the Bible and Church Fathers sufficed.[44] In later cases, the canonizations of Peñafort in 1601 and Borromeo in 1610, in addition to the usual biblical, patristic, and theological citations, legal and medical authorities are piled on as a matter of course.[45] In the *Relationes* written around 1600, in short, there

[42] Borromeo process, ASV Riti 1681, fols 130^{v}–35^{v}; Peñafort process, ASV Riti 4216, fols 102^{r}–03^{r} [82^{r}–83^{r}]; the Peñafort bull in Fontanini, *Codex constitutionum*, p. 270.

[43] Vauchez, *La Sainteté*, pp. 568 and 581 (*Sainthood*, trans. by Birrell, p. 487 and 498).

[44] Finucane, 'Saint-Making at the End of the Sixteenth Century' passim.

[45] Among many citations found in MS ASV Riti 4216, fols 73^{v}–112^{r} (alt. 53^{v}–92^{r}) for Peñafort's miracles, the following are the most commonly noted, in order of decreasing frequency: Aquinas, 24 instances; earlier canonizations, 17 for 9 saints; the canon *de Reliq. et vener. sanct.* of

does not seem to have been a breaking away from the medieval compounding of written authorities toward a more 'scientific' analysis of purported miracles. If anything, 'legalistic' thinking dominated miracle investigations more than ever, leading to redefinitions of, and limitations to, the concept of miracle itself. It has been noted that the number of miracles approved by the French ecclesiastical establishment, for example, 'declined precipitously in the second half of the seventeenth century' and in southern Italy by the mid-eighteenth century, criteria had become more rigorous than ever.[46] This seventeenth-century trend toward greater exactitude is exemplified, for instance, in canonization witnesses being asked to distinguish between a 'grace' and a miracle. By 1665 the distinction appears in the interrogatories in John of Capistrano's cause: 'Quodne sit discrimen inter miraculum et gratiam' to which one witness, a priest, replied, 'I consider a grace to be when someone recommends himself to some saint, and there follows that which was requested, not instantly, but with the concurrence of a secondary cause, but a miracle is done instantly, and only by God'.[47] As Gentilcore notes, before the end of the seventeenth century Neapolitan doctors and other professionals 'were expected to know the difference'.[48]

Regardless of such refinements at the curial level, for most people the miraculous continued to play a leading role in saints' cults. Simon Ditchfield, for instance, notes that seventeenth-century 'consumers of sanctity' continued to base their devotion to saints on a capacity to perform miraculous cures.[49] In the end,

the thirteenth century, 14; Bellamar (Egidius Bellamera, †1407), 12; medical authorities, 10; Hostiensis († 1271), 9; biblical references, 8; Archid. ('Archdeacon', Guido de Baysio, † 1313), 7. For Borromeo, from MS ASV Riti 1681, fols 109^{v}–38^{v}: biblical references, 17; Troilus Malvetius (fifteenth century JUD), 16; medical authorities, 16; recent canonizations of three individuals, 12; Tiberius Decianus († 1581), 10; Thomas Aquinas, 9; Joseph Mascardus († 1588), 8.

[46] Lorraine Daston, 'Marvelous Facts and Miraculous Evidence in Early Modern Europe', in *Questions of Evidence: Proof, Practice, and Persuasion across the Disciplines*, ed. by James Chandler and others (Chicago: University of Chicago Press, 1994), pp. 243–74 (p. 269); David Gentilcore, 'Contesting Illness in Early Modern Naples: *Miracolati*, Physicians and the Congregation of Rites', *Past and Present*, 148 (1995), 117–48 (p. 134).

[47] ASV MS Riti 77, fols 24^{r}, 27$^{r–v}$, 46^{r}; see also 66^{v}.

[48] Gentilcore, 'Contesting Illness', p. 147. For general approach, see Aquinas, Sum. Theol. II.II Art. 178, Art 1 Obj. 4 and reply, in *Summa Theologica*, II (1947), 1924–25. Additional examples in ASV MS Riti 661, fol. 52^{r} (eighteenth century), and ASV MS Riti 159, fol. 216^{r} (nineteenth century).

[49] Simon Ditchfield, 'Il mondo della Riforma e della Controriforma', in *Storia della santità nel cristianesimo occidentale*, ed. by Anna Benvenuti and others (Rome: Viella, 2005), pp. 261–427

however, in canonization processes the criterion of 'virtue' did count for more than thaumaturgy.[50] By the later twentieth century, it was clear that the Church was moving ever farther from emphasizing miracles in canonization causes, as the 1983 changes in procedures indicate. At present, miracles are practically irrelevant in the saint-making process. It is just possible that the fourteenth-century report on Cantilupe's miracles contributed — indirectly and over the very long term — to this result.

(p. 291): for seventeenth-century Catholics the efficacy of their saint 'era soprattutto misurata sulla base della sua capacità di dispensare cure miracolose'. See also Giulio Sodano, 'Miracolo e canonizzazione: Processi napoletani tra XVI e XVIII secolo', in *Miracoli: Dai segni alla storia*, ed. by Sofia Boesch Gajano and Marilena Modica (Rome: Viella, 1999), pp. 171–95.

[50] Original thoughts on 'heroic virtue' by Vauchez in *La Sainteté*, pp. 606–07 (*Sainthood*, trans. by Birrell, pp. 519–20). For his later modifications, see refs in Caroline Walker Bynum, *Metamorphosis and Identity* (New York: Zone, 2001), p. 212.

The Authority of Miracles: Caesarius of Heisterbach and the Livonian Crusade

Barbara Bombi

The Livonian mission and crusade between the end of the twelfth and the first two decades of the thirteenth century are documented in some twelve papal letters and in the chronicle of Henry of Livonia. These sources not only shed light on the network of houses of German Cistercians and canons regular, whose members contributed to the preaching in the Baltic, but also on lay support for the crusade against the heathen. The *Dialogus Miraculorum* of Caesarius of Heisterbach provides further invaluable information about the activity of the German Cistercians in Livonia. While Caesarius was not directly involved with the preaching in the Baltic, nevertheless, the Monastery of Heisterbach was situated in Westphalia, where nobility and clergy, both regular and secular, contributed to the conversion of Livonia from the late twelfth century onward. Yet Caesarius was indeed able to collect a number of stories concerning the conversion of the heathen in Livonia and to insert them into his collections of miracles. Despite the fact that these stories often used Livonia as the background setting to provide edifying examples, we must stress that Caesarius's miracles can also be used as authoritative evidence to identify the supporters of the Livonian mission in Westphalia.

In 1979 Brian Patrick McGuire raised the possibility of tracing the written sources used by Caesarius of Heisterbach in composing his *Dialogus Miraculorum*. At the beginning of his article McGuire sets out clearly the goals of his investigation:

> Can we believe Caesarius? Do his stories, with their abundant references to time, place and sources, reflect what really happened, or are they moralizations in which Caesarius carefully manipulates truth for his own purposes? Even more important than the question of the truth in particular cases, we can ask if this first great practitioner of the European *exemplum* genre in the central middle ages can be seen as a writer working in a given milieu and set of circumstances. Or are his stories so general, diverse and disparate that we are left with fragments of historical reality but no possibility for a synthesis that can tell us about Caesarius's mind, his methods and his Cistercian world?[1]

McGuire examined most of the miracles in Caesarius's compilation, trying to identify their written sources, and concluded that Caesarius consciously manipulated them in order to put forward an interpretation which could fit his didactic purposes. In this respect Caesarius wished to provide moralizing stories, which were not recorded as historical documents, but rather as a collection of exempla.

This definition of Caesarius's work questions the possibility of considering his stories as authoritative pieces of evidence in historical research. Moreover, Caesarius addresses his audience through a collection of moralizing examples, which originated from miraculous events. Therefore his work can be read and understood at least on three different levels: as a collection of didactic tales; as a collection of miracles, which originated within the Cistercian tradition and was deeply influenced by this genre; and finally, as a collection of stories containing some historical evidence and based on other written and oral sources which he used. If so, to what extent is Caesarius's historical narrative reliable? Is the historical information affected either by the author's moralizing intents or by the powerful genre which he adopted?

As far as Caesarius's stories are concerned, the concept of exemplum should be considered in its widest sense, as both an account of an event and its moral connotation. Certainly the latter profited from the genre adopted by Caesarius. He collected together in his moral statements much deriving from miracle narratives. In this respect, as Jacques Le Goff has stated, medieval exempla unintentionally provide information which is unrelated to their proper purpose, while the spiritual scope of the exempla is combined with the capacity of the genre to talk about history.[2] Jacques Berlioz adopted this same perspective in his work

[1] Brian P. McGuire, 'Written Sources and Cistercian Inspiration in Caesarius of Heisterbach', *Analecta Cisterciensia*, 35 (1979), 227–82 (pp. 228 and 237).

[2] Claude Bremond, Jacques Le Goff, and Jean Claude Schmitt, *L'exemplum, Typologie des sources du moyen âge occidental*, 40 (Turnhout: Brepols, 1982), pp. 79–82.

on the exempla of Caesarius of Heisterbach concerning the Albigensian crusade. Berlioz indicated that these exempla operated as a means of enlightenment and conversion, giving evidence of medieval preaching as well as being, in many respects, a powerful account of historical events.[3]

This essay will attempt to answer these questions by considering six miracles which appear in the *Dialogus Miraculorum* and which are related to the Livonian crusade. Four other miracles recorded by Caesarius in his *Liber VIII Miraculorum* will also be taken into account. Nevertheless, before considering these, it is necessary to give a brief outline of Caesarius's work and his world.

Caesarius and His World

Caesarius was probably born around 1180 in the city of Cologne in Westphalia. This former Roman town, situated on the Rhine, benefited greatly from its favourable geographical position. By the beginning of the twelfth century Cologne had become a central market as a result of the development of new trade routes between southern and northern Europe. It was also an important archbishopric, numbering amongst its prelates Bruno I of Cologne († 965), one of the chief advisors to Emperor Otto I and founder of St Andrew's Cathedral in the city. At the turn of the twelfth century, the Cathedral of Cologne was not only an important episcopal see, but also the seat of a major German scholastic centre.[4] Between 1188 and 1198 Caesarius studied at the cathedral school of St Andrew's under Rudolf, who was succeeded as *scholasticus* by the famous Oliver of Paderborn in 1201. In such a cultural environment Caesarius became familiar with the main debates of his time, in particular, the fight against Cathar heresy which was spreading in the Cologne area from the 1140s, and the Third Crusade to the Holy Land, which the Cistercian Henry de Marcy, Cardinal Bishop of Albano (1179–89), preached in the Church of St Peter at Cologne between 1188 and 1189.[5]

[3] Jacques Berlioz, *'Exemplum* et histoire: Césaire de Heisterbach (v. 1180–v. 1240) et la croisade Albigeoise', *Bibliothèque de l'École des Chartes*, 147 (1989), 49–86 (p. 49).

[4] Paul B. Pixton, *The German Episcopacy and the Implementation of the Decrees of the Fourth Lateran Council, 1216–1245: Watchmen on the Tower*, Studies in the History of Christian Thought, 64 (Leiden: Brill, 1994), pp. 208–11

[5] Piero Zerbi, *Papato, impero e 'Respublica Christiana' dal 1187 al 1198* (Milan: Società Editrice Vita e Pensiero, 1980), pp. 31–34.

Around 1199, Caesarius entered the Cistercian abbey of Heisterbach as a novice. Heisterbach, founded in 1189 close to Bonn in the archbishopric of Cologne, was in the filiation of Himmerod in the diocese of Trier. It was here that Caesarius would spend the rest of his life. Once professed, he rapidly rose in the community to become novice master and subsequently prior from 1227 until his death in 1240.[6] As novice master, he had the opportunity to maintain his contacts both within and outside the monastery. He was, therefore, able to meet not only those guests who were accommodated in Heisterbach, but also to accompany his abbots, Gevard (1195/96–1208) and Henry I (1208–1244), on their visits to other Cistercian monasteries in the Rhineland, as well as to the Moselle, Eifel, and Niederland regions.[7]

Among his vast output of literary works, which include sermons, hagiographical and exegetical commentaries, Caesarius appears very keen on writing moralizing stories. In particular he composed two miracle collections. The *Dialogus Miraculorum*, completed between 1219 and 1223, brings together a number of didactic examples in the form of a dialogue between a monk and a novice in a Cistercian abbey. The *Dialogus* is organized in twelve *distinctiones*, or books, which refer to different theological subjects, such as contrition, confession, temptation, demons, single-mindedness of heart, the Virgin Mary, visions, the Eucharist, miracles, the dying, and eternal recompense.[8] Moreover, Caesarius brought together a second compilation of exempla, the *Liber VIII Miraculorum*, on which he worked between 1225 and 1227 but which appears never to have completed. In this second work, the miracle stories have become more highly elaborated, with vague hints at chronological references and long moralizing conclusions.[9]

[6] Fritz Wagner, 'Caesarius de Heisterbach', in *Lexikon des Mittelalters*, 10 vols (Munich: Metzler, 1981–83), II, 1363–66; Fritz Wagner, 'Studien zu Caesarius von Heisterbach', *Analecta Cisterciensia*, 29 (1973), 79–95. See also Swen H. Brunsch, *Das Zisterzienserkloster Heisterbach von seiner Gründung bis zum Anfang des 16. Jahrhunderts*, Bonner Historische Forschung, 58 (Siegburg: Schmitt, 1998), pp. 144–58.

[7] Brunsch, *Das Zisterzienserkloster Heisterbach*, pp. 360–62.

[8] Caesarii Heisterbacensis, *Dialogus miraculorum*, ed. by Josephus Strange, 2nd edn, 2 vols (Ridgewood, NJ: Gregg, 1966); Caesarius of Heisterbach, *The Dialogue on Miracles*, ed. and trans. by H. von E. Scott and C. C. Swinton Bland, 2 vols (London: Routledge, 1929).

[9] Caesarii Heisterbacensis, *Liber VIII miraculorum*, in *Die Wundergeschichten des Caesarius von Heisterbach*, ed. by Alfons Hilka, Publikationen der Gesellschaft für Rheinische Geschichtskunde, 42, 3 vols (Bonn: Hanstein,1933–37).

These works were to prove of great value to Caesarius in the teaching of his novices. For that reason, neither was composed with the idea of merely recording events but instead had a definite practical purpose. Caesarius continued the long Christian tradition of exempla, which had begun with biblical parables. By the end of the twelfth century, the exemplum had become a popular genre among the Cistercians, particularly in their houses in northern France and the Rhineland.[10] Following the death of Bernard of Clairvaux in 1153, the Cistercians had begun collecting and organizing exempla in order to establish a common viewpoint inside the order and to encourage monks in their vocation.[11] Caesarius's approach toward this genre was, therefore, suggested by the literary tradition within his order and the desire to produce an authoritative collection of miracles and edifying stories, which could be used in teaching the novices. Nevertheless, we should stress that Caesarius managed to elaborate this traditional genre in an original way, applying his experience to moral teaching.[12]

Caesarius based his stories on written and oral sources, adapting them in accordance with his own purposes.[13] He borrowed some of his tales from other Cistercian collections of exempla, such as the *Exordium magnum Cisterciense* of Conrad, Abbot of Eberbach,[14] the *Liber Miraculorum* of Himmerod,[15] the *Exordium Cistercii*,[16] the *Liber Miraculorum* of Herbert of Clairvaux,[17] and the

[10] Simone Roisin, *L'hagiographie cistercienne dans le diocèse de Liège au XIII^e siècle* (Louvain: Bibliothèque de l'Université, 1947), pp. 25 and 151–64.

[11] Brian P. McGuire, 'The Cistercians and the Rise of the *exemplum* in Early Thirteenth-century France: A Re-evaluation of Paris BN MS. Lat. 15912', *Classica et Medievalia*, 34 (1983), 211–67 (p. 211); Brian P. McGuire, 'Les mentalités des Cisterciens dans les recueils d'*exempla* du XII^e siècle', in *Les* exempla *médiévaux: nouvelles perspectives*, ed. by Jacques Berlioz and Anne Marie Polo de Beaulieu, Nouvelle bibliothèque du moyen âge, 47 (Paris: Garae/Hesiode, 1998), pp. 107–09.

[12] Brian P. McGuire, 'Friends and Tales in the Cloister: Oral Sources in Caesarius of Heisterbach's *Dialogus miraculorum*', *Analecta Cisterciensia*, 36 (1980), 167–245 (p. 245).

[13] McGuire, 'Written Sources', pp. 274–76 and 280.

[14] McGuire, 'Written Sources', pp. 229–34.

[15] Bruno Griesser, 'Ein Himmeroder *Liber miraculorum* und seine Beziehungen zu Caesarius von Heisterbach', *Archiv für Mittelrheinische Kirchengeschichte*, 4 (1952), 257–74.

[16] McGuire, 'Written Sources', pp. 266–74.

[17] Herbert of Clairvaux, *De Miraculis libri tres*, in *Patrologiae cursus completus [...] Series Latina*, ed. by Jacques-Paul Migne, 221 vols (Paris: Migne, 1844–64) (hereafter PL), CLXXXV, cols 1271–1384; Bruno Griesser, 'Herbert von Clairvaux und sein *Liber miraculorum*', *Cistercienser-Chronik*, 54 (1947), 21–39 and 118–48.

Vita prima of Bernard of Clairvaux.[18] Some of these works were probably available in the library of Heisterbach, while others could have been borrowed from other Cistercian houses in the Rhineland, such as Himmerod and Eberbach.[19]

As far as oral sources are concerned, Caesarius often reveals his immediate source, mentioning it by name. In this respect Caesarius's exempla indicate his personal connections and shed light on a regional network of Cistercian monasteries in the Rhineland, such as Himmerod, the motherhouse of Heisterbach.[20] Furthermore Caesarius mentions some stories which originated from within the international network of communication among Cistercian monasteries and which had probably been gathered together by the Abbot of Heisterbach during his attendance at the Cistercian general chapter, meeting every year on 13 September at Cîteaux. In this respect Caesarius was able to profit from the centralized organization of the Cistercian order and its functional network of monasteries, which had already expanded all over Europe in the early thirteenth century.

Caesarius of Heisterbach and the Livonian Mission

Now it is necessary to consider whether these general ideas about Caesarius's work can be applied in particular to ten miracles which deal with mission and crusades in Livonia and which he collected in the *Dialogus Miraculorum* and in the *Liber VIII Miraculorum*. These miracles are concerned with two different aspects of the Livonian crusades. On the one hand, Caesarius deals with events that are only indirectly related to Livonia, as they also occur elsewhere. Caesarius, however, knew of them through those Cistercians who had come from Livonia and who acted as his storytellers and oral source. On the other hand, Caesarius describes events that took place in Livonia and are related either to the conversion of the heathen or to other aspects of monastic life.

[18] McGuire, 'Written Sources', pp. 229–34.

[19] On the Medieval library of Heisterbach see Brunsch, 'Das Zisterzienserkloster Heisterbach', pp. 463–69. On the Medieval library of Eberbach see Nigel F. Palmer, *Zisterzienser und ihre Bücher: Die Mittelalterliche Bibliotheksgeschichte von Kloster Eberbach im Rheingau unter besonder Berücksichtigung der in Oxford und London aufbewahrten Handschriften* (Regensburg: Schnell and Steiner, 1998), pp. 231–75.

[20] McGuire, 'Written Sources', pp. 239–47; McGuire, 'Friends and Tales', p. 244.

In this respect it can be argued that both these statements provide interesting indications of the historical contents of Caesarius's tales, despite the genre that the author adopted and his intention of writing didactic stories. Once more, one needs to stress the ability of Caesarius to provide historical evidence, as he was an eyewitness to historical events taking place in Westphalia in the first three decades of the thirteenth century. Furthermore, he was well informed about other stories, occurring far from his monastery, through a network of oral and written sources. Although Caesarius does not always add new information to our knowledge of the Livonian crusades, as he does in some of the stories listed in the first group, he nevertheless sheds light on how the propaganda of the Livonian crusades was practised and perceived in the Rhineland.

By the first decade of the thirteenth century, the Livonian mission and crusade had become a central issue in the ecclesiastical life of Westphalia. From the mid-twelfth century onward German settlers had been colonizing the lands beyond the Elbe with the support of Henry the Lion and Hartwig II, Archbishop of Hamburg-Bremen (1185–1207). Hartwig II promoted the conversion of the Slavs and supported Cistercians and canons regular alike who, from the 1130s, had begun preaching the Gospel to the heathen in Mecklenburg. By 1185 the settlement of the Baltic Sea was moving further eastward and preachers began to establish themselves in Livonia. Amongst these was Maynard, a canon regular from Segeberg in Mecklenburg, who spent the summers in Livonia in the company of German merchants, who were trading on the Düna River. In 1187, Hartwig II appointed Maynard as Bishop of Üxküll, obtaining confirmation from Pope Clement III in 1188. Nevertheless the preachers had to face the hostility of the heathen and in 1196 Berthold, the second bishop of Livonia, who was a Cistercian from the monastery of Loccum in Saxony, organized a crusade against the Livonians.[21] Despite various papal attempts to control crusading in Baltic area, Albert, the third bishop of Livonia, carried on his predecessor's policy. Hence, in the first two decades of the thirteenth century, mission and crusade became the usual way to defend the preachers in Livonia from pagan attacks.[22] In the 1210s, Bishop Albert's main concern became the competition of the Eastern crusade,

[21] Barbara Bombi, 'Celestine III and the Conversion of the Heathen on the Baltic Frontier', in *Celestine III: In the Light of Experience*, ed. by John Doran and Damian Smith (Aldershot: Ashgate, forthcoming 2008).

[22] Barbara Bombi, *'Novella plantatio fidei': Missione e crociata nel Nord Europa tra la fine del XII e i primi decenni del XIII secolo*, Nuovi studi storici (Rome: Istituto storico italiano per il Medio Evo, 2007).

then being strongly promoted by Pope Innocent III. This 'pilgrimage' to the Holy Land in fact risked the withdrawal of both men and funding from the crusade in Livonia. Hence, Albert needed to broaden his preaching of the Livonian crusade beyond Saxony. In 1208 he began preaching in the Cologne area, where he persuaded many pilgrims to go to Livonia, such as the Cistercian Florentius, Abbot of Marienfeld (1194–1211), and Robert, canon of the Cathedral of St Andrew at Cologne.[23] Indeed, the population of the Rhineland had long been interested in colonizing lands beyond the Elbe in order to allow easy access to the Baltic Sea and provide important advantages in trade with the Russians. Moreover, in 1199, Innocent III addressed his letter *Sicut ecclesiastice religionis* to the faithful of Westphalia, dealing with the organization of a new expedition to Livonia.[24] In the first two decades of the thirteenth century the preaching of the Livonian mission and crusade was definitely successful in the Cologne area, as Oliver of Cologne also echoes in his work.[25]

In the first half of the thirteenth century among the supporters of the settlement of the Baltic Sea the counts of Lippe stood out for their attempt to create a lordship in Livonia. The Lippe family was originally from the Cologne area where Count Hermann I of Lippe was one of the main supporters of Fredrick Barbarossa, the German emperor, and of Rainald of Dassel, Archbishop of Cologne and imperial chancellor.[26] At the turn of the twelfth century, the Lippe family settled around Schwerin in Mecklenburg, where between 1200 and 1201 Bernard II of Lippe, the son of Hermann and a supporter of Otto IV of Brunswick, fought against the Danes, who had invaded that region. Bernard II had initially planned to go on crusade to the Holy Land, but in the end he left together with other German bishops for Livonia, where, in 1195–96, Bishop

[23] Heinrici, *Chronicon Livoniae*, Monumenta Germaniae Historica in usum scholarum, 31, ed. by Leonid Arbusow and Albert Bauer (Hanover: Hahn, 1955), XII, 5, p. 61.

[24] *Die Register Innocenz' III., 2. Pontifikatsjahr, 1199/1200, Texte*, ed. by Othmar Hageneder, Werner Maleczek, and Alfred A. Strnad, Publikationen des Österreichischen Kulturinstituts in Rom, 2, 1, 2 (Rome: Verlag der Österreichischen Akademie der Wissenschaften 1979), 182 (191), pp. 348–49

[25] Olivieri Coloniensis *Historia regum Terre Sancte*, in *Die Schriften Oliverus*, ed. by H. Hoogeweg (Tübingen: Laup, 1894), pp. 156–57.

[26] Paul Scheffer-Boichorst, 'Herr Bernhard von der Lippe als Ritter, Mönch und Bischof', *Zeitschrift für vaterländische Geschichte und Alterthumskunde*, 29 (1871), 107–235; Werner Goez, 'Herr Bernhard II. von Lippe', in *Gestalten des Hochmittelalters* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1983), pp. 280–81. See also McGuire, 'Friends and Tales', p. 229.

Berthold organized a crusade.[27] The Lippe family, meanwhile, were strong supporters of founding Cistercian houses on their own lands. One such was Marienfeld (1185) in the diocese of Münster[28] and, sometime before 1197, Bernard abandoned his martial career to enter this same house. Afterward he pursued his religious life in Livonia, in 1211 becoming abbot of the Cistercian monastery of Dünamünde in Riga, founded *c.* 1201–02. Finally, between 1218 and his death in 1223, Bernard was elected as the new bishop of Selonia (Seelburg).[29] In the 1220s, he became one of the main supporters of Albert, third bishop of Livonia, who successfully recruited pilgrims and missionaries in Westphalia and Rhineland as a result of the backing of Cistercians and Premonstratensians alike.[30] Moreover, Hermann II of Lippe, Bernard's son, became *princeps* of Livonia and Estonia in 1211, a fact which contributed to the strengthening of connections between the Westphalian nobility and the Baltic crusades.[31]

In his lifetime Bernard II returned to his homeland several times and it was during these visits that he may well have met Caesarius of Heisterbach, who cites him as an authority on several occasions.[32] In particular Caesarius claims Bernard as his source no fewer than four times in the *Dialogus Miraculorum* and inserts all four miracle stories in Books IX, X, and XI, which were probably written between 1221 and 1222.[33] By this time Bernard of Lippe had already been appointed Bishop of Selonia, as Caesarius states at the beginning of one tale: 'Lord Bernard

[27] Scheffer-Boichorst, 'Herr Bernhard', pp. 183–85, n. 205; Bombi, 'Celestine III', forthcoming.

[28] Goez, 'Herr Bernhard II.', pp. 280–81; Paul Leidinger, 'Die Gründung der Zisterzienser-Abtei Marienfeld 1185 und ihre Stifter', *Westfälische Zeitschrift*, 135 (1985), 181–238.

[29] Selonia (*Selonensis civitas*), or Seelburg, former bishopric in Livonia, founded 1217/18 by Bishop Albert I with the consent of Honorius III, in Johann Georg Theodor Graesse, *Orbis Latinus: Lexikon Lateinischer Geographischer Namen*, ed. by Helmut Plechl and Sophie-Charlotte Plechl (Brunswick: Klinkhardt & Biermann, 1972).

[30] Kaspar Elm, '"Christi cultores et novellae Ecclesiae plantatores": Der Anteil der Mönche, Kanoniker und Mendikanten an der Christianisierung der Liven und dem Aufbau der Kirche von Livland', in *Gli inizi del cristianesimo in Livonia-Lettonia*, Atti del colloquio internazionale di storia ecclesiastica in occasione dell'VIII centenario della Chiesa in Livonia (1186–1986) (Vatican City: Libreria Editrice Vaticana, 1989), pp. 127–70 (pp. 132–45).

[31] Hucker, 'Der Plan', pp. 97–125; Hucker, 'Liv- und estländische Königspläne?', pp. 65–106.

[32] Goez, 'Herr Bernhard II.', p. 287.

[33] McGuire, 'Friends and Tales', p. 199, argues that Caesarius wrote Book IX in 1221 and Books X and XI in 1222.

of Lippe, once abbot, now Bishop of Livonia, often relates a miracle, which was the opposite of the one just told.'[34]

Bernard of Lippe's four miracles deal with two topics: the Eucharist and penance. These stories are not always explicitly related to the Livonian mission, but they do, however, provide evidence of how a broad tradition of stories circulated within the Cistercian network of monasteries, which also comprised a new house in Livonia. In this respect these miracles hint at the common spiritual and informative background of Caesarius and Bernard of Lippe as members of the Cistercian order.

Three of the miracles that Caesarius heard from Bernard of Lippe are concerned with penance and remission of sins. The first is set in the diocese of Utrecht, where a notoriously adulterous fisherman was miraculously saved from the ordeal of red-hot iron. As the fisherman repeated his sin, he was punished on the second occasion by being scalded with hot water on account of his adultery.[35] This story exemplifies that the source of the miracle was not as important to Caesarius as its content. As Caesarius stresses at the end of the tale, this miracle was familiar within the Cistercian tradition and is related to a fairly common literary *topos*.[36] Apart from Bernard of Lippe, who recounted this miracle to Caesarius, Lambertus, monk of Heisterbach, was also accustomed to tell a similar tale.[37]

Similarly, Caesarius claimed that Bernard had told him of another miracle concerning the remission of sins. On this occasion, a deceased monk of Zinna, a Cistercian abbey close to Brandenburg in the archbishopric of Magdeburg, was miraculously restored to life in order that he could pay a debt to a ferryman, in accordance with a promise made before his death.[38] Apparently Bernard himself had not witnessed the miracle but the Abbot of Zinna had recounted it to him on one occasion when the two abbots met, probably at the Cistercian annual general

[34] Caesarii Heisterbacensis, *Dialogus miraculorum*, X, 35, p. 243; Caesarius of Heisterbach, *The Dialogue on Miracles*, II, 10, 35, p. 202.

[35] Caesarii Heisterbacensis, *Dialogus miraculorum*, X, 35, p. 243; Caesarius of Heisterbach, *The Dialogue on Miracles*, II, 10, 35, p. 202.

[36] Frederic C. Tubach, *'Index exemplorum': A Handbook of Medieval Religious Tales*, Series FF Communications, 204 (Helsinki: Suomalainen Tiedeakatemia, 1969), nos 59 and 2071.

[37] Caesarii Heisterbacensis, *Dialogus miraculorum*, X, 35, p. 243; Caesarius of Heisterbach, *The Dialogue on Miracles*, II, 10, 35, p. 203.

[38] Caesarii Heisterbacensis *Dialogus miraculorum*, XI, 35, p. 297; Caesarius of Heisterbach, *The Dialogue on Miracles*, II, 11, 35, p. 267. See also Tubach, *'Index exemplorum'*, no. 1496A.

chapter on the Vigil of the Feast of the Holy Cross. On such occasions, it was the usual practice for abbots to tell each other stories, which rapidly became part of a shared tradition and were disseminated in the Cistercian houses across Europe in order to promote powerful moralizing examples. As Caesarius suggests, the moral significance of this particular miracle was that clergy and laity alike ought to be forgiven for their faults before death.[39]

Finally, Bernard told Caesarius another miracle story occurring in the *Dialogus Miraculorum* and dealing with penance. This concerned a knight from Saxony named Ludulphus, who cut off the foot of a peasant in anger and subsequently decided to become monk in the Cistercian abbey of Pforte close to Nuremburg. When he was dying, Ludulphus asked to be forgiven and a scar like a red thread appeared around his ankle in the place where he had amputated the peasant's foot.[40] This wound subsequently became infected and Ludulphus interpreted his agony as a sign of the penance necessary to gain remission of sins. Once again, Caesarius expounds another literary *topos* through a story that was well known in the Cistercian network of which Caesarius and Bernard were part.[41] Pforte, where Ludulphus was said to have become a monk, was in fact the motherhouse of the Abbey of Dünamünde in Riga, where Bernard had been abbot, as Caesarius states at the end of his story: 'This was told to me by the abbot of Livonia, who is a son of that abbey.'[42] Conversely it could be argue that on this occasion Caesarius was not referring to Bernard II of Lippe, but instead to Theodoric of Treyden, who had began his religious career as a monk at Pforte and had been the first abbot of Dünamünde and Bishop of Estonia.[43] Moreover, it is most likely that Theodoric was well known to Caesarius, who also refers to him as Bishop of Livonia in his *Liber VIII Miraculorum*.[44] Caesarius could have met Theodoric in the Rhineland, where he had preached the crusade to Livonia.[45] In the *Dialogus Miraculorum*,

[39] McGuire, 'Friends and Tales', pp. 215–16.

[40] Caesarii Heisterbacensis *Dialogus miraculorum*, XI, 18, p. 287; Caesarius of Heisterbach, *The Dialogue on Miracles*, II, 11, 18, p. 255.

[41] See Tubach, *'Index exemplorum'*, no. 4850.

[42] Caesarii Heisterbacensis, *Dialogus miraculorum*, XI, 18, p. 287; Caesarius of Heisterbach, *The Dialogue on Miracles*, II, 11, 18, p. 255.

[43] T. Grentrup, 'Der Zisterzienser Dietrich in der altlivländischen Mission (†1219)', *Zeitschrift für Missionswissenschaft und Religionswissenschaft*, 40 (1956), 265–81.

[44] Caesarii Heisterbacensis *Liber VIII*, I, 1, pp. 16–17. See below, n. 51.

[45] According to P. Schwartz, *Est- und Livländische Brieflade*, 3 vols (Riga: Deubner, 1879), II, 216, Theodoric was in Cologne in April 1216.

Caesarius describes a vision in which Bishop Theodoric saw the saints Mary Magdalene and Margaret encouraging widows and virgins to take the veil. Caesarius's comment on the Cistercian bishop is that 'he was worthy of such a vision, being a man both upright and spiritually-minded'.[46] Once more it is remarkable that Caesarius associated this example with Theodoric of Treyden, who was the leading Cistercian figure in Livonia for more than two decades and who embodied the missionary activity of the order in the Baltic region. Yet again this story indicates the connections between Cistercian preachers in Livonia and the houses of the order in Westphalia, where crusade and mission in the Baltic region were intensively preached.

Similarly, both Bernard of Lippe and Theodoric of Treyden might have been the source of another story, which is recorded in the *Liber VIII Miraculorum*. Caesarius writes that the Bishop of Livonia, himself a former Cistercian monk who knew this tale better than he did, recounted a miracle in which a priest administered the host to a sick girl. The host was revealed to her as a flower and she subsequently recovered.[47] Caesarius explains this vision by stating that as the flower discloses the fruit, the bread, and the wine of the Eucharist unveils Christ. Moreover Caesarius supports his interpretation with a number of biblical quotations in accordance with the style of the *Liber VIII Miraculorum*, which is a more elaborate piece of work. As far as the source of this miracle is concerned, Caesarius merely says that the Cistercian bishop of Livonia told him this story. Therefore, both Bernard of Lippe and Theodoric of Treyden could have acted as Caesarius' storytellers.

This last miracle also sheds light on a specific interest of Caesarius in the Eucharist, the topic of many other stories in Book IX of the *Dialogus Miraculorum*, which is entirely dedicated to this sacrament. Likewise the fourth and last story, which Caesarius heard from Bernard of Lippe and recorded in the *Dialogus Miraculorum*, deals with the Eucharistic sacrament and a *conversus* or lay brother, who was eager to take communion like the monks. Miraculously, the host descended into the lay brother's mouth, representing the true desire of God as he had claimed.[48] Tubach's repertoire points out that this miracle is unique and is to

[46] Caesarii Heisterbacensis *Dialogus miraculorum*, VIII, 80, p. 149; Caesarius of Heisterbach, *The Dialogue on Miracles*, II, 8, 80, p. 83. See also Tubach, *'Index exemplorum'*, no. 5268.

[47] Caesarii Heisterbacensis, *Liber VIII miraculorum*, I, 21, pp. 44–45; Tubach, *'Index exemplorum',* no. 2646.

[48] Caesarii Heisterbacensis, *Dialogus miraculorum*, IX, 37, p. 193; Caesarius of Heisterbach, *The Dialogue on Miracles*, II, 9, 37, pp. 139–40.

be found only in Caesarius's *Dialogus Miraculorum*.[49] Therefore, it seems likely that this miracle story originated in the circle of missionaries who were preaching in Livonia and was subsequently transmitted to Heisterbach by Bernard of Lippe.

Finally, in a third miracle, which is concerned with the Eucharistic sacrament and is recorded in the *Liber VIII Miraculorum*, Caesarius explicitly refers to the preaching in Livonia. Apparently on 11 June 1223 in the village of Hasbengau close to Liège, a woman confessed to her parish priest that ten years' previously, during the Easter Mass, instead of swallowing the host, she had retained it in her mouth. Subsequently she folded the consecrated host in three cloths and hid it in a crack in the church wall. After hearing the woman's confession, the parish priest of Hasbengau immediately sought the advice of the Bishop of Livonia, who happened to be visiting the diocese of Liége for a church consecration. When the host was found in the church precisely as the woman had indicated, the prelates discovered that three drops of blood spotted the cloths. The Bishop of Livonia was so astonished by this miracle that he wrote to John, Dean of Aachen and Abbot of St Trond, who went to see the miraculous event. When they unfolded the cloths, they noticed that the host had turned into the bleeding flesh of Christ's own body. The Bishop of Livonia requested from other prelates permission to carry the host to Livonia in order that such a miraculous relic could be used to persuade the heathen to convert to Christianity. In the end it was agreed that the cloths should be divided in three parts, of which the Bishop of Livonia was given two, signed with two drops of blood. John indeed kept the third cloth and showed it to the faithful, while he was preaching the crusade.[50] Caesarius stresses that he personally saw the third cloth during John's preaching, while the host was preserved in the Benedictine monastery of St Trond.

Although the story of the transubstantiated host appears elsewhere in Caesarius's works, in this case it is specifically related to the Livonian mission. It provides a dateable reference to the Bishop of Livonia, probably Bernard of Lippe, who was indeed in Germany in 1223.[51] Moreover it is remarkable that the three cloths were used as miraculous relics to preach the crusade in Flanders and in Germany as well as to persuade the pagans to convert to Christianity in Livonia. This case sheds light on which themes were used to preach of the crusade in the

[49] According to Tubach, *'Index exemplorum'*, no. 2657, this story Caesarius is the only one to tell these miracles.

[50] Caesarii Heisterbacensis *Liber VIII*, I, 1, pp. 16–19.

[51] Tubach, *'Index exemplorum'*, no. 2689A. Heinrici *Chronicon Livonie*, 27, 1, 193, n. 1; Scheffer-Boichorst, 'Herr Bernhard', p. 211, n. 269.

Holy Land and Livonia. In this respect we should stress the importance of the Eucharistic references in the Cistercian tradition, which produced a number of hagiographical stories on this theme in the diocese of Liège, where this miracle supposedly took place.[52] Furthermore, from the end of the twelfth century onward, the Eucharist became one of the main topics within the theological debate in accordance with the attempts of Innocent III to reform the cure of souls.[53] In particular, we should underline that the first collection of papal decretals which deals with the Eucharist is that compiled by Alanus Anglicus in about 1206, where, out of four decretals, three were issued by Innocent III. Similarly, in the letter *Is qui ecclesiam suam*, which Innocent III sent to Livonia in 1201, he recommended the correct administration of the Mass and exhorted the special solicitude of the missionaries toward the sacraments of Eucharist and confession.[54] Finally, the Fourth Lateran Council of 1215 addressed the doctrine of transubstantiation, influencing doctrinal thought regarding the Eucharist during the thirteenth century.[55]

Two other miracles recorded in the *Liber VIII Miraculorum* deal directly with the Livonian crusade and its preaching. These tales can indeed be considered as authoritative sources of historical events, even if they take up general *topoi*, as they deal with topics which are relevant to the missionary activity: the administration of confession and penance and the baptism of the heathens. Once more, Caesarius's sources are Bernard of Lippe and Theodoric of Treyden, both of whom were actively involved in the conversion of the Livonians,

In a first miracle story, dealing with the conversion of the pagans, Caesarius provides accurate chronological references. The protagonist of this story is Caupo, a pagan leader from Treyden, who converted to Christianity in 1200, as Henry of Livonia states in his *Chronicle*.[56] Caupo became an ally of Albert, Bishop of Livonia. In 1203, Caupo was chosen to travel to the papal Curia together with

[52] For the Cistercian tradition on miracles concerning Eucharist in the diocese of Liège, see Roisin, *L'hagiographie*, pp. 178–85.

[53] Michele Maccarrone, 'Innocenzo III teologo dell'Eucarestia', *Studi su Innocenzo III*, Italia Sacra, 17 (Padua: Editrice Antenore, 1972) pp. 341–431.

[54] Maccarrone, *Innocenzo III*, pp. 388–89; Michele Maccarrone, 'I papi e gli inizi della cristianizzazione della Livonia', in Maccarrone, *Nuovi Studi su Innocenzo III*, ed. by R. Lambertini, Nuovi Studi Storici, 25 (Rome: Istituto storico italiano per il Medio Evo, 1995), pp. 369–419 (417–19).

[55] Maccarrone, *Innocenzo III*, pp. 390–411.

[56] Heinrici *Chronicon Livonie*, IV, 4, p. 14.

Theodoric of Treyden, who was there to seek papal support in organizing a new crusade against the heathen.[57] In his *Liber VIII Miraculorum*, Caesarius gives an account of Caupo's trip to Rome, correctly placing it in the years of the schism between Philip of Swabia and Otto IV of Brunswick, which had began in 1198. Nevertheless, Caesarius also states that Albert organized Theodoric's visit to Rome in order to receive the pallium from Pope Innocent III and that he had sent Caupo to Rome in order to impress the Pope on the achievement of the Livonian mission.[58] On this point Caesarius's account diverges from that of Henry of Livonia. Henry underlines that Caupo and Theodoric went to Germany in order to promote the Livonian crusade, and after they arrived at the papal Curia they were well received by the Pope. It is likely that Caesarius confused two events that took place in different periods. Although it is probable that Caupo went to Rome in 1203 and was received at the papal Curia, the first reference to the bishopric of Riga as an independent see is dated 1214, while the see of Riga was elevated to an archbishopric only in 1253.[59] Nevertheless, from the 1210s onward, the bishops of Riga were continuously attempting to obtain the primacy of their see over the Sword Brothers, the military order founded in Livonia between 1202 and 1203, to create independent bishoprics in the newly conquered lands of Estonia. In this respect it is not clear why, after Theodoric's trip to Rome, Innocent III should have addressed his response to Archbishop Hartwig II of Hamburg-Bremen, metropolitan of the Livonian Church, instead of directing it to Bishop Albert.[60] This further evidence might suggest that in 1203 and on Albert's behalf, Theodoric had unsuccessfully requested Innocent III to grant the independence of his episcopal see, as also suggested by Caesarius. Consequently the Pope decided to address his letter, dated October 1204, to the Archbishop of Hamburg-Bremen

[57] Heinrici *Chronicon Livonie*, VII, 3, pp. 20–21.

[58] Caesarii Heisterbacensis *Liber VIII*, I, 31, p. 569. See also Torben Nielsen, 'Mission and Submission: Societal Change in the Baltic in the Thirteenth Century', in *Medieval History Writing and Crusading Ideology*, ed. by Tuomas M. S. Lehtonen and Kurt Villads Jensen, Studia Fennica Historica, 9 (Helsinki: Finnish Literature Society, 2005) pp. 216–31.

[59] See Bombi, 'Novella plantatio fidei', par. 5.2. See also Innocentii III *Epistolae*, PL, CCXVI, XVI, 129, col. 922.

[60] *Die Register Innocenz' III., 7. Pontifikatsjahr, 1204/1205, Texte und Indices*, ed. by Othmar Hageneder, Andrea Sommerlechner, Herwig Weigl, Christoph Egger, and Rainer Murauer, Publikationen des Historischen Instituts beim Österreichischen Kulturinstitut in Rom, 2, 1, 7 (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 1997), VII, 139, 225–26. See Bombi, 'Novella plantatio fidei', par. 3.1.

in order to strengthen his supremacy over the church in Livonia. Conversely we should note that Caesarius was writing in the 1220s and that he might have simply recalled the current debate on the organization of the Livonian episcopate, either confusing or merely ascribing Caupo's trip to Rome to the current claims within the Livonian church.

As far as the Livonian mission is concerned, the miracle regarding Caupo is of great interest. The story concerns a servant of Caupo, who died without going to confession before a priest and claimed that he had no sins to confess. After his death, the servant's body was therefore led into Purgatory and taken to various places of punishment, where he suffered castigation by the demons. Finally the servant was convinced of the necessity of confession and was given a second chance to remit his sins. Therefore he was restored to life by an angel, in order to have the possibility of confessing his sins before dying.

Bernard of Lippe very probably met and knew Caupo who died in 1217. Moreover, we should stress that this story, which deals with the Livonian mission and which Caesarius heard from Bernard, does not appear in other miracles collections.[61] The contents and the moralizing purpose of this miracle indeed mirror the contemporary attempt to reform the cure of souls according to the practice of confession and the administration of penance, as promoted during the pontificate of Innocent III. The Pope dealt with these problems in his correspondence addressed to Livonia and Prussia from 1201 when, in the letter *Is qui ecclesiam suam*, Innocent III stressed that the preachers had to pay particular care in administering confession and penance. In particular, so far as penance was concerned, the Pope recommended discretion and temperance to the preachers in order to avoid the possibility of neophytes rejecting their new faith.[62] Moreover, in 1206, Innocent III repeated the same statements in a letter addressed to those preachers, who were converting the pagans in Prussia, while in 1215 these issues were summarised in Canon 10 of the Fourth Lateran Council.[63]

[61] Tubach, *'Index exemplorum'*, no. 1167

[62] Bombi, 'Novella plantatio fidei', par. 5. 4. See Maccarrone, 'I papi', p. 80. This papal letter was collected in the *Compilatio III* (III, 5, 20, 1) and in the *Liber Extra* (X, 5, 38, 8) under the title *De poenitentiis et remissionibus.*

[63] *Die Register Innocenz'III, 9. Pontifikatsjahr, 1206/1207, Texte und Indices*, ed. by Andrea Sommerlechner, Othmar Hageneder, Christoph Egger, Rainer Murauer, and Herwig Weigl, Publikationen des Österreichischen Kulturinstituts in Rom, 2, 1, 9 (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 2004), 174 (175), p. 317; *Constitutiones Concilii quarti Lateranensis una cum Commentariis glossatorum*, ed. by Antonio García y García,

At the end of his story Caesarius picked up similar ideas, adding two long paragraphs that contain his moral explanation of the miracle. Caesarius, in fact, stresses that God punishes sins in accordance with their quantity and quality, if one has not confessed them before dying. Therefore penance should be assigned on the basis of the gravity and quantity of the sins. Finally Caesarius underlines the value of confession and penance, which are medicaments for the soul, when it is afflicted by many diseases.

A second moralizing example of the *Liber VIII Miraculorum* regarding Livonia comes from an account by Theodoric of Treyden and deals with baptism. This Cistercian bishop told Caesarius that the missionaries in Livonia were accustomed to baptizing the heathen by sprinkling them with holy water. The pagans were too numerous for the preachers to be correctly baptized by immersing them three times in water, as canon law prescribed.[64] Indeed Caesarius underlines that the baptism was valid only after immersion in water and the invocation of the Holy Trinity, while in accordance with another chapter of the *Liber Extra*, any baptism celebrated without these two requirements was to be considered invalid. Consequently Caesarius argues that, according to some views, baptism of the heathen in Livonia required repetition, while according to others it was legitimate as a result of compelling causes. Caesarius chose the latter solution in accordance to with what he was told by his friend, Theodoric of Treyden, who used to repeat the baptismal ceremony, immersing the neophytes three times in water, as the canons prescribed. Yet again a miracle concerning the Livonian mission occurs as a unique example.[65] Although Caesarius composed this with a didactic purpose in mind, it provides unusual authoritative evidence of how missionaries used to baptize the heathen in Livonia. Caesarius's story corresponds to some references in the *Chronicle* of Henry of Livonia, which stressed that missionaries baptized the heathens as a group after a military success before agreeing a truce. In this respect the baptism should have ensured the faith of the converts as well as their submission to Christian ruling.[66] Nevertheless, since there is no evidence of a licence, which was granted to the Livonian missionaries in order to divert from the usual liturgical practice, the validity of such collective baptisms remained a

Monumenta Iuris Canonici, Series A: Corpus glossatorum, 5 (Città del Vaticano, 1981), 10, pp. 58–59.

[64] Caesarii Heisterbacensis *Liber VIII*, II, 18, 98-9. See also X, 3, 42, 1.

[65] Tubach, *'Index exemplorum'*, no. 469.

[66] Heinrici *Chronicon Livonie*, XI, 6, p. 54; XIV, 11, p. 85, XVIII, 7, pp. 120–21; XXIII, 9, p. 167; XXIV, 5, p. 174; XXX, 5, p. 220.

matter of discussion among the missionaries, as revealed by the concerns of Theodoric of Treyden.

All Caesarius's miracles examined so far used oral sources. However, according to McGuire it is sometimes possible to identify Caesarius's written sources.[67] One example is his account of a miracle concerning Peter, a Cistercian monk of Himmerod, who experienced many visions and in the end devoted his life to converting the heathen in Livonia.[68] The same story was also noted in another collection of miracles, the *Liber Miraculorum* of Himmerod, composed at the eponymous Cistercian abbey, Heisterbach's mother house in the diocese of Trier.[69]

Caesarius copied verbatim the miracle from the *Liber Miraculorum* of Himmerod, inserting it in his *Dialogus Miraculorum* and making some additions at the very end of the story.[70] This miracle concerns the visions of Peter, a young lay brother from Coblenz, who experienced many visions and meditated on the Passion of Christ. For instance, one day he felt the crucifix embracing him and was prevented from succumbing to temptation. Eventually, his meditations on the Passion of Christ took Peter to seek martyrdom and follow Theodoric, Bishop of Livonia, without having obtained his abbot's permission, since Innocent III had granted Theodoric permission to take with him to Livonia anyone who wished to preach and convert the heathen without further dispensation. According to Caesarius, Peter left for Livonia and Theodoric gave him a parish church, from where he preached and baptized the heathen, converting them through his words and deeds.

Caesarius claims personally to have witnessed some of Peter's visions as he used to pray close to Peter at the singing of the Psalms. Nevertheless we know that in this case Caesarius was just copying verbatim from the *Liber Miraculorum* of Himmerod, where this reference is missing. Moreover, although the story of visionary monks was already part of the Cistercian tradition, Caesarius accurately

[67] McGuire, 'Friends and Tales', p. 244.

[68] Caesarii Heisterbacensis *Dialogus miraculorum*, VIII, 13, pp. 92–93; Caesarius of Heisterbach, *The Dialogue on Miracles*, II, 8, 13, pp. 15–17; Tubach, *'Index exemplorum'*, no. 1243.

[69] Grieser, 'Ein Himmeroder', 23, pp. 271–73; McGuire, 'Written Sources', pp. 239–42 and 273–74; McGuire, 'Friends and Tales', pp. 217–28. Brunsch, 'Das Zisterzienserkloster', pp. 163–64, states that Caesarius could have seen the *Liber Miraculorum* of Himmerod either during his visits to that monastery or in Heisterbach.

[70] Grieser, 'Ein Himmeroder', 23, pp. 271–73.

brings it up to date by referring to Peter's decision to become a missionary in Livonia. In 1200 Innocent III allowed the Bishop of Livonia to recruit preachers in Germany among regular canons and Cistercian monks, since in 1199 the Cistercian general chapter had complained about monks leaving for Livonia without the licence of their abbots.[71] The Pope subsequently confirmed the above concession and on 30 October 1213 he granted the same permission to Theodoric, who was by then converting the Estonians.[72] Caesarius was clearly well informed about the procedures concerning the recruitment of preachers to send to Livonia, as from the end of twelfth century onward Cistercian monks had been employed as missionaries and this matter had been discussed on at least two other occasions during the order's general chapters. In this respect this miracle is another striking example of Caesarius's ability to update old stories and adapt them to his didactic purposes. Furthermore this last miracle shows how deeply the preaching of the Livonian mission had penetrated the religious life of many Cistercian houses in the Rhineland, becoming a familiar reference, which could be use to update existing moralizing example.

Conclusions

In conclusion, let us try to answer Brian Patrick McGuire's doubts about the credibility of Caesarius. Although his stories were written for moralizing, and not for historical purposes, Caesarius sheds light on important aspects of Livonian crusade and mission, showing how preaching as well as missionary activity took

[71] For the permission of Innocent III see Leonid Arbusow, 'Römischer Arbeitsbericht', *Latvijas Universitates Raksti: Acta Universitatis Latviensis*, 17 (1928), p. 322; *Vetera Monumenta Slavorum meridionalium: Tomus Primus, 1198–1549*, ed. by Augustin Theiner (Rome: Typis Vaticanis, 1863), XII, 49, p. 48; Arnoldi Lubicensis *Chronica Slavorum*, ed. by Johann M. Lappenberg, Monumenta Germaniae Historica in usum scholarum,14 (Hanover: Hahn, 1868), 5, 30, p. 216. See also Michele Maccarrone, '"Cura animarum" e "parochialis sacerdos" nelle costituzioni del IV Concilio Lateranense (1215): Applicazioni in Italia nel sec. XIII', in *Pievi e parrocchie in Italia nel basso Medioevo (secoli XIII–XIV)*, Italia Sacra, 35–36, 2 vols (Rome: Editrice Antenore, 1984), I, 109–10; now in *Nuovi Studi su Innocenzo III*, pp. 109–10; Bombi, 'Novella plantatio fidei', par. 2.2. For the Cistercian general chapter see *Statuta Capitulorum generalium Ordinis Cisterciensis ab anno 1116 ad annum 1786*, ed. by Joseph M. Canivez, Bibliothèque de la Revue d'histoire ecclésiastique, 9, 8 vols (Louvain: Bureau de la Revue, 1933–36), chap. 71, p. 246.

[72] Innocentii III *Epistolae*, PL, CCXVI, XVI, 124, cols 919–20. See Bombi, 'Novella plantatio fidei', par. 5.1.

place. Even if his chronological hints are not always consistent, Caesarius was an eyewitness to the propaganda of the Livonian crusade among clerics and laymen of the Rhineland during the first three decades of the thirteenth century. He could profit from the information circulating within the network of those Cistercian houses, which were involved in preaching the conversion of the pagans and sending missionaries to Livonia. Indeed he most likely met the two Cistercians, Theodoric of Treyden and Bernard II of Lippe, who became abbots of the Cistercian abbey of Dünamünde in Riga and bishops in Estonia. Both probably told their stories personally to Caesarius, who widely employed them as powerful sources with which to teach novices. Similarly Caesarius was able to gather other pieces of information owing to his friendship with some of the supporters of the Livonian mission in Westphalia, such as the counts of Lippe, who boosted the Livonian crusade from the end of the twelfth century onward.[73] Although the exemplary meaning of the stories was more important than their historical precision and originality, Caesarius highlights how at the beginning of the thirteenth century the Livonian crusade and mission had already become part of the Cistercian world. Rumours of the Baltic crusades circulated at Cistercian general chapters and were written down in order to bring up to date familiar tales and stories. Moreover Caesarius's interest in certain doctrinal arguments, such as the Eucharist, confession, penance, and baptism, has to be read in its widest context, as it echoes papal attempts to reform the cure of souls within Christendom. As Michele Maccarrone has argued, at first these papal efforts were promoted in the missionary territories, such as Livonia and Prussia. Subsequently they were gathered together in the constitutions of the Fourth Lateran Council and finally they were put into practice all over Christendom in the first half of the thirteenth century.[74]

There is no doubt that in this respect Caesarius's stories should be considered as significant and authoritative historical sources. The coexistence of oral and written tradition within his work and the reference to contemporary historical events, such as the Livonian crusade, mirror how the fight against infidels and pagans and the promotion of Christianity were practised in the Rhineland in the first decades of the thirteenth century. In this respect Caesarius's stories served both in preaching the crusade and mission to the faithful and as an aid in teaching the novices in the monastery. As Caesarius remarks in the story concerning the

[73] Elm, '"Christi cultores"', pp. 132–45.

[74] Maccarrone, '"Cura animarum"', pp. 271–368.

transubstantiation of the host, which took place in the diocese of Liège, miraculous relics were in fact used to preach the crusade in the Rhineland, as well as in the conversion of the heathen in Livonia.[75] Therefore, Caesarius's stories provide evidence of historical background, albeit they often treat Livonia incidentally and are merely expanding existing literary topics, well known through other miracle collections within the shared Cistercian tradition. In this respect we should stress that Caesarius's miracle stories are not at all inward looking, despite the author's agenda. Whilst the use of historical references was eventually perceived as an authoritative means to update existing miracle stories, in this case it did succeed in amplifying the intrinsic power of miraculous examples for didactic and preaching purposes.

[75] Caesarii Heisterbacensis, *Liber VIII*, I, 1, pp .16–19. See above, n. 51.

Saintly Power as a Model of Royal Authority: The 'Royal Touch' and Other Miracles in the Early Vitae of Edward the Confessor

Joanna Huntington

Writing a saintly life could be an act of piety, an expression of affection for the subject, and/or a statement of firm belief in the subject's sanctity.[1] It could also — and indeed concurrently — be an attempt to bolster the prestige of people or institutions associated with the subject, or to impress models of behaviour upon its audience. Depictions of sanctity, therefore, not only reflected but also directed and shaped manifold cultural, spiritual, and social concerns. We may detect this process in the early hagiographical literature surrounding Edward the Confessor, in which we may see Edward's miraculous power being presented to various ends, including — most significantly for this paper — the promotion of saintly power as a particular model of royal authority.

The paper on which this is based emerged from my doctoral research at the Centre for Medieval Studies, University of York, which was undertaken with the financial assistance of the A.H.R.B. and the support and encouragement of my supervisors, Peter Biller, Felicity Riddy, and Elizabeth Tyler. I should also like to thank the Hagiography Society for including the paper in their session at Leeds I.M.C., the audience for their helpful questions and comments, and the present editors for their insightful suggestions.

[1] Published translations are cited wherever possible, even where I have silently amended the translation in cases where the published translation has preferred a flowing modern translation to literal translation. Where the translation cited here differs greatly from a published translation, only the Latin edition is referenced.

In his fundamental study, Marc Bloch traced the custom associated with the monarchs of France and England by which they exercised the power to cure scrofula — also known as *morbus regius* (the royal disease) or the King's Evil — by touch.[2] Bloch placed the starting points of a continuous history of the so-called Royal Touch in the reigns of St Louis (Louis IX 1226–70) and Edward I (1272–1307) respectively, but situated the origins of this phenomenon in earlier reigns.[3] Bloch's earliest unambiguous reference for France is dated to *c.* 1125, and he attributes the miracle to Philip I (1060–1108) and Louis VI (1108–37):

> I have seen people suffering from scrofula about the throat or elsewhere on their body crowd around [Louis], seeking his touch, to which he added the sign of the cross. I was near him and forbade it, but he, with an inborn liberality, with a serene hand drawing them to him, most humbly made the sign. His father Philip used to work the glory of this same miracle eagerly, but he lost [the power] through some sins [about which] I do not know.[4]

This account contains the essence of what would become the Royal Touch, namely, that the cure is effected by a touch and a signed cross, that both the crowd and the king are clear about the ritual and the miraculous outcome, and that it is not the only occurrence of such a cure.[5]

[2] Marc Bloch, *Les rois thaumaturges: Étude sur le caractère surnaturel attribué à la puissance royale, particuliérement en France et en Angleterre* (Paris: Publications de la Faculté des lettres de l'université de Strasbourg, 1924); publ. in English as *The Royal Touch: Sacred Monarchy and Scrofula in England and France*, trans. by J. E. Anderson (London: Routledge & Kegan Paul, 1973).

[3] Bloch, *Royal Touch*, pp. 12–27.

[4] Guibert of Nogent, *On Saints and their Relics*, trans. by Thomas Head, in *Medieval Hagiography: An Anthology*, ed. by Thomas Head (New York: Routledge, 2001), pp. 399–427, p. 408; 'Hos plane qui scrophas circa iugulum aut uspiam in corpore patiuntur ad tactum eius, superaddito crucis signo, vidi catervatim, me ei cohaerente et etiam prohibente, concurrere, quos tamen ille ingenita liberalitate serena ad se manu obuncans, humillime consignabat. Cuius gloriam miraculi cum Phillipus pater eius alacriter exerceret, nescio quibus incidentibus culpis amisit': *De sanctis et eorum pigneribus*, in *Opera varia*, ed. by R. B. C. Huygens, Corpus Christianorum Continuatio Mediaevalis, 127 (Turnhout: Brepols, 1993), pp. 79–175 (p. 90). Guibert concludes by stating that he knows that no English king has presumed to attempt such things. See Bloch, *Royal Touch*, pp. 12–13.

[5] For the later tradition in England, in addition to Bloch, see also, *inter alia*, Frank Barlow, 'The King's Evil', *English Historical Review*, 95 (1980), 3–27 (pp. 3, 13, 15, 24–25, 26); Frank Barlow, '*Morbus regius*: The Royal Disease', in *Medieval Studies in Honour of Avrom Saltman*, ed. by Bat-Sheva Albert, Yvonne Friedman, and Simon Schwarzfuchs (Ramat-Gan: Bar Ilan University Press, 1995), pp. 53–66 (pp. 53–54, 65–66); Keith Thomas, *Religion and the Decline*

Bloch's earliest unambiguous evidence for England occurs in a letter of Peter of Blois, written in the 1180s, in which, Bloch inferred, Peter attributes the power of the Royal Touch to Henry II (1154–89).[6] Bloch traced the Royal Touch back further, to a miraculous cure recounted by Edward the Confessor's three earliest biographers and by William of Malmesbury. Partially as a result of his misdating of the earliest source, Bloch placed the origin of the phenomenon in England within the reign of Henry I (1100–35).[7]

Barlow has convincingly challenged Bloch's model, concurring with his dating of the custom in France to the reign of Louis IX, but arguing that in England, it almost certainly originated with Henry III (1216–72).[8] Nonetheless, it continues to be assumed — or at least implied — that the Royal Touch in England is first seen in the twelfth century in Edward the Confessor's early hagiographical literature.[9] The early literature seems to be ambiguous in this respect, but consideration of Edward's miraculous portfolio nonetheless sheds valuable light on his early legend, and, therefore, on how his saintly power was deployed.

Miracles within medieval texts can have a variety of layers of meaning. At one level, a healing miracle aligns a subject with Christ himself. Such an alignment was

of Magic: Studies in Popular Beliefs in Sixteenth and Seventeenth Century England (London: Weidenfeld & Nicolson, 1971; repr. 1997), pp. 177, 192–98, 204–06.

[6] Bloch, *Royal Touch*, p. 22, with regard to *Patrologiae cursus completus [...] Series Latina*, ed. by Jacques-Paul Migne, 221 vols (Paris: Migne, 1844–64), CCVII, col. 440D (hereafter PL). As Barlow argues in 'The King's Evil', p. 26, this does not necessarily refer to Henry II or indeed any English king.

[7] Bloch, *Royal Touch*, p. 23. On the sources and their dating, see *infra*.

[8] Barlow, 'King's Evil', pp. 24–25. For France, see Philippe Buc, 'David's Adultery with Bathsheba and the Healing Power of the Capetian Kings', *Viator*, 24 (1993), 101–20, where Buc argues that the notion of the custom was current from at least the 1170s.

[9] Thus, for example, André Vauchez, 'The Saint', in *The Medieval World*, trans. by Lydia G. Cochrane (London: Collins & Brown, 1990), pp. 313–45 (p. 322) (first publ. as *L'Uomo Medievale*, ed. by Jacques Le Goff (Rome: Laterza, 1987)); Michael Wright and Kathleen Loncar, 'The *Translatio* of Edith', in *Writing the Wilton Women: Goscelin's Legend of Edith and 'Liber confortatorius'*, ed. by Stephanie Hollis and others (Turnhout: Brepols, 2004), p. 87, n. 34. Some references are potentially qualified by such phrases as 'According to Bloch', or 'it is likely that', but do not suggest whether the commentator agrees or disagrees with Bloch's model; see, for example, Dyan Elliott, *Spiritual Marriage: Sexual Abstinence in Medieval Wedlock* (Princeton: Princeton University Press, 1993), p. 124; Gábor Klaniczay, *Holy Rulers and Blessed Princesses: Dynastic Cults in Medieval Central Europe*, trans. by Éva Pálmai (Cambridge: Cambridge University Press, 2002), p. 5; see also Lynn Jones, 'From *Anglorum basileus* to Norman Saint: The Transformation of Edward the Confessor', *Haskins Society Journal*, 12 (2002), 99–120 (pp. 115, 119).

fundamental to the core expectations of sanctity,[10] and a mimetic miracle was at once both manifestation and proof of the subject's sanctity. The manner in which that healing miracle was written, however, could additionally give it more nuanced meaning, arising from and impacting on the saint's relationships with others. The positioning of a miracle within a narrative can also be instructive. The early vitae of Edward the Confessor all present the miracle often interpreted as the Royal Touch, and offer the opportunity to examine it in its respective narrative contexts. In this way, this paper suggests an alternative model for Edward's saintly power as a paradigm of royal authority.

Three Latin vitae of the Confessor, the anonymous *Vita Ædwardi regis qui apud Westmonasterium requiescit*,[11] Osbert of Clare's *Vita beati Eadwardi regis Anglorum*,[12] and Aelred of Rievaulx's *Vita S. Edwardi regis et confessoris*,[13] were composed within a century of each other. Reference will also be made to William of Malmesbury's *Gesta regum Anglorum*, which was written by *c.* 1126.[14] While debate has centred on the composition of the anonymous vita, Barlow's suggestion of a two-stage process for this, with the first book dating to 1065–66, and the second to 1067, seems most convincing.[15] Osbert of Clare, prior of Westminster Abbey, wrote the *Vita beati Eadwardi c.* 1138 in an unsuccessful bid for Edward's canonization. While the anonymous vita was essentially concerned with promoting the interests of Edith, Edward's wife,[16] Osbert instead promoted

[10] See, for example, Vauchez, 'The Saint', p. 313.

[11] *The Life of King Edward Who Rests at Westminster: Attributed to a Monk of Saint-Bertin*, trans. by Frank Barlow, 2nd edn (Oxford: Clarendon Press, 1992) (hereafter Anon., *VÆd*, while Barlow, *VÆd* denotes Barlow's introduction).

[12] 'La vie de S. Édouard le Confesseur par Osbert de Clare', ed. by Marc Bloch, *Analecta Bollandiana*, 41 (1923), 5–131 (hereafter Osbert, *VEad*).

[13] PL, CXCV, cols 737–90 (hereafter Aelred, *VEd*); *Life of Saint Edward, King and Confessor*, trans. by Jerome Bertram, 2nd edn (Southampton: Saint Austin Press, 1997) (hereafter Aelred, *Life*).

[14] William of Malmesbury, *Gesta regum Anglorum: The History of the English Kings*, ed. and trans. by R. A. B. Mynors, completed by Rodney M. Thomson and Michael Winterbottom, 2 vols (Oxford: Clarendon Press, 1998–99) (hereafter William, *GRA*).

[15] On this dating, see Barlow, *VÆd*., pp. xxix–xxxiii. On the texts' manuscripts, authors, and contexts, see further Joanna Huntington, 'Edward the Celibate, Edward the Saint: Virginity in the Construction of Edward the Confessor', in *Medieval Virginities*, ed. by Anke Bernau, Ruth Evans, and Sarah Salih (Cardiff: University of Wales Press, 2003), pp. 119–39 (pp. 120–21).

[16] On this, most recently, see J. L. Grassi, 'The *Vita Ædwardi Regis*: The Hagiographer as Insider', *Anglo-Norman Studies*, 26 (2004), 87–102.

both Edward as a dead saint, and the interests of Westminster Abbey, where the King was buried. In 1161, another attempt at canonization succeeded and Aelred of Rievaulx's *Vita S. Edwardi* was presented at the 1163 translation of the King's corpse. Aelred's vita enjoyed a wider medieval circulation than its predecessors and was adapted in subsequent texts and other media.[17] His work is a speculum for Henry II, presenting a mirror of saintly lived kingship to a living king.[18] Aelred's vita is therefore of particular interest here: how was Edward's saintly power depicted as a model of earthly royal authority?

The 'touch' in question occurs in the first miracle recounted by the Anonymous, and features a horribly afflicted young woman.[19] Her misery was heightened by her failure to provide her husband with an heir. Having been advised in a vision, she went to King Edward to be cured:

> A dish of water was brought; the king dipped in his hand; with extended fingers, he anointed the face of the young woman and the places infected by the disease. He repeated this action several times, now and then also making the sign of the cross.[...]Those diseased parts that had been treated by the smearing of the king softened and separated from the skin; and, with the pressure of the hand, worms together with pus and blood came out of various holes. Again the pious king pressed hard with his holy hand and drew out the pus. Nor did he shrink from enduring the stench of the sick woman until with his healing hand he had brought out all that noxious disease.[20]

[17] See Huntington, 'Edward the Celibate', p. 121, and the works cited in n. 22, p. 134.

[18] On this model of the respective objectives of Osbert and Aelred, see Huntington, 'Edward the Celibate', passim. Aelred makes it clear that his vita was a speculum at several points in the Prologue, *Life*, pp. 15–16; *VEd*, cols 737–40. This aspect of his vita has been noted by most commentators; see, for example, Bernhard W. Scholz, 'The Canonization of Edward the Confessor', *Speculum*, 36 (1961), 38–60 (p. 55); Marsha L. Dutton, 'Ælred, Historian: Two Portraits in Plantagenet Myth', *Cistercian Studies Quarterly*, 28 (1993), 112–44 (pp. 118–19); John E. Lawyer, 'Aelred of Rievaulx's *Life of St Edward the Confessor*: A Medieval Ideal of Kingship', *Fides et Historia*, 31 (1999), 45–65; and Katherine Yohe, 'Ælred's Recrafting of the *Life of Edward the Confessor*', *Cistercian Studies Quarterly*, 38 (2003), 177–89.

[19] Anon., *VÆd*, pp. 92–93: 'around the throat and those parts under the jaw which [...] are called glands, she suffered a *morbus* that had so infected her entire face and a stench so excessive that she could scarcely speak to anyone without great embarrassment'; 'patiebatur circa fauces et sub ipsis maxillis, quas [...] nuncupant glandulas, quê ita totam faciem corruperant morbo et nimio fetore, ut uix alicui loqueretur absque grandi confusione.'

[20] Anon., *VÆd*, pp. 92–93: 'Allato aquê uase rex manum intingit, porrectisque digitis faciem mulierculê et contacta morbo loca perungit; hocque agens frequentius iterat, interdum etiam cruce signat. [...] Liniente rege morbus medicatus a crusta mollescit et soluitur, ducenteque manu a diuersis foraminibus uermes plene cum sanie et sanguine egrediuntur. Item pius rex sancta

The woman was cured not only of her glandular disease but also of her barrenness, and, restored once more to beauty, she became pregnant and subsequently 'lived not unhappily with all around her'.[21] This miracle concludes with an allusion to similar cures which Edward effected in Normandy: 'Although this seems new to us, the Franks aver that Edward had done this often as a youth when he was in Neustria, now known as Normandy'.[22]

Is this perhaps the earliest account of the touch in England? The woman suffers from a glandular *morbus* — the ailment with which the Royal Touch would be associated — and is cured by touching and signing the cross. It will be useful here to consider usage of the terms *scrofula* and *morbus regius*, which was not unambiguous.

Bloch admitted a fluidity in the medieval usage of *scrofula*. Whereas for modern doctors, the term denotes tubercular infection of the lymph nodes of the neck, in the Middle Ages it was also applied to diseases of the throat and face in general, including eye problems.[23] In England in particular, 'various facial swellings and discharges, especially opthalmic disorders were considered scrofulous'.[24] Barlow traced usage of *morbus regius*, identifying two traditions (classical, by which it was used for jaundice, and patristic, which associated it with leprosy) — both of which were current in Anglo-Saxon England — and noting that the term was not associated with scrofulas until the thirteenth century.[25] In immediately post-Conquest England, *morbus regius* seems to have been mostly used of leprosy or of swellings on the body.[26]

Let us return to Edward's supplicant. The Anonymous did apparently have scrofula in mind, but conflated the symptoms of scrofula and leprosy.[27] He did not, however, use the term *morbus regius*.[28] Moreover, this is not quite the Royal

dextera premens, et educens saniem, nec abhorret in infirma muliere hunc pati fetorem, donec medicante manu omnem illam noxiam elicuit pestem.'

[21] Anon., *VÆd*, pp. 94–95: 'uixit cunctis cohabitantibus non iniocunda.'

[22] Anon., *VÆd*, pp. 94–95: 'Quod licet nobis nouum uideatur, hoc eum in adolescentia cum esset in Neustria, quę nunc Normannia nuncupatur, sepius egisse Franci testantur.'

[23] Bloch, *Royal Touch*, p. 11; see also Barlow, 'King's Evil', pp. 3–4, 7–8.

[24] Barlow, 'King's Evil', p. 7.

[25] Barlow, 'King's Evil', pp. 4–5, 7; Barlow, '*Morbus regius*', pp. 55–64.

[26] Barlow, 'King's Evil', pp. 5–7.

[27] Barlow, 'King's Evil', p. 9.

[28] Barlow, 'King's Evil', p. 10.

Touch: 'unlike later royal touchers or strokers, [Edward] applies manual pressure in order to cause the abscesses to discharge.'[29] Additionally, in contemporaneous English narratives, the power to cure *morbus regius* was not restricted to monarchs. Goscelin's *translatio* of St Edith, for example, written *c.* 1080, includes the cure of Ælfgifu of Wilton, whose eye was swollen by *morbus regius*.[30] Similarly, William of Malmesbury mentioned cures of the disease at St Milburga's tomb[31] and described how Wulfstan cured a pauper suffering from 'what they call the King's Evil'.[32] In the twelfth century, therefore, while the phrase *morbus regius* was used, it seems to have denoted jaundice or leprosy rather than scrofula, and curing *morbus regius* was by no means an exclusively royal prerogative. Can the cure's subsequent treatments shed light on the perceived nature of the miracle?

Bloch felt that Osbert, Aelred, and William of Malmesbury related the Anonymous's version with little alteration.[33] His key piece of evidence in dating the Royal Touch to Henry I's reign is William's comment after his assertion that Edward had cured this disease when in Normandy, 'which shows that some people in our own day are wasting their time, when they wrongly assert that the cure of this *morbus* proceeded not from sanctity but from the inheritance of royal stock'.[34] Bloch concluded that those who believed that kings could heal scrofula — against whom William of Malmesbury argued — believed this on the grounds that Henry I himself had cured by touching.[35] Whilst this may be so, it is also notable that William's account does not include the signing of the cross — one of the

[29] Barlow, 'King's Evil', p. 9.

[30] Barlow, 'King's Evil', p. 5; see A. Wilmart, 'La légende de Ste Édith en prose et vers par le moine Goscelin', *Analecta Bollandiana*, 56 (1938), 5–101, 265–307 (pp. 294–95); trans. by Wright and Loncar, in *Writing the Wilton Women*, pp. 87–88.

[31] William of Malmesbury, *Gesta Pontificum Anglorum*, ed. by N.E.S.A. Hamilton, Rolls Series, 52 (London: Longman, 1870), chap. 171, p. 306; trans. by David Preest, *The Deeds of the Bishops of England* (Woodbridge: Boydell, 2002), p. 207.

[32] *Vita Wulfstani*, ed. and trans. by Michael Winterbottom and Rodney M. Thomson, *William of Malmesbury: Saints' Lives, Lives of SS. Wulfstan, Dunstan, Patrick, Benignus and Indract* (Oxford: Clarendon Press, 2002), pp. 7–155 (pp. 74–77): 'morbus [...] quem regium uocant.'

[33] Bloch, *Royal Touch*, p. 24.

[34] William, *GRA*, I, 406–09: 'unde nostro tempore quidam falsam insumunt operam, qui asseuerant istius morbi curationem non ex sanctitate sed ex regalis prosapiae hereditate fluxisse.'

[35] Bloch, *Royal Touch*, pp. 24–27.

main ingredients of the Royal Touch which was present in the Anonymous's account.

The vitae of Osbert and Aelred, however, do retain signing with the cross, and may well present Edward as performing something closer to Louis VI's Royal Touch as described by Guibert of Nogent. In the Anonymous's account, Edward's physical contact is closer to that of a doctor than a supernatural healer ('he anointed the face [...]. He repeated this action several times. [...] with the pressure of the hand, [...] [he] pressed hard with his holy hand and drew out the pus').[36] Osbert's Edward, however, is less overtly active:

> The king dipped his fingers into the water he had called for and moistened the face of the woman and made the sign of the holy cross in the area of the stenches. [...] while the right hand of the holy king smeared the openings, the skin broke up and softened; the tumours came out together with worms; blood and poison come out at the pressing of the king's right hand; and the woman was returned in a short time to complete health.[37]

Osbert's Edward still smears (*linio*), makes the sign of the cross, and kneads or presses (*premo*), but his is a less repetitive and active cure. In Aelred's account, 'he washed the parts of her body affected by the disease with his own hands, feeling the tumorous places with his fingers, and marking them with the sign of the cross'.[38] Here the touching itself is less 'hands-on', and it is the sign of the cross which is pressed (*imprimo*). Is this, perhaps, moving closer to a Royal Touch?

The notion is tempting, especially in the light of Philippe Buc's study of scholastic glosses on David's adultery with Bathsheba. Buc argues that in the late twelfth century, the idea of the Royal Touch was current in the Paris schools among those of all political persuasions but, from the beginning of the thirteenth century, it became exclusively used by pro-monarchists. This change is linked to the growth of Capetian power from the 1190s, which saw an intensification of institutionalized, administrative kingship: 'the more the king [...] innovated in government, the more he needed legitimacy.'[39] A similar trend in kingship may be

[36] See n. 20, above.

[37] Osbert, *VEad*, p. 93: 'Allata princeps aqua digitos intingit, faciem mulieris madefieri instituit et loca fetoribus plena sancte crucis inpressione signauit [...] dum sancta regis dextera foramina linit, soluitur crusta et mollescit; glandule cum uermibus egrediuntur; sanies et sanguis dextera regis premitur; et mulier in breui integre saluti reparatur.'

[38] Aelred, *Life*, pp. 62–63; 'partes corporis quas morbus fœdaverat propriis manibus lavit, locaque tumentia contrectans digitis, signum sanctæ crucis impressit': Aelred, *VEd*, col. 762.

[39] Buc, 'David's Adultery', p. 119.

traced in England from Henry I's reign.[40] Could we be seeing a shift toward the Royal Touch in the rewritings of Edward's miracle, as part of a move to legitimate a new style of English royal authority? Perhaps. It is noteworthy, however, that none of our sources refers to the woman's ailment as *scrofula* or *morbus regius*.[41] It seems, therefore, that whether Edward deployed the Royal Touch was not of particular interest to our authors.

What we can glean from these accounts of the cure, therefore, is at best ambiguous. Might therefore a consideration of their respective narrative contexts be more fruitful in terms of the understanding of Edward's early hagiographical legend? The extant manuscript of the anonymous *Vita Ædwardi* is damaged, with just under 2,500 words missing.[42] In his reconstruction of the missing passages, Barlow suggested that the first lacuna contained a description of Edward's wife, Edith, and their married life, and the second contained miracles.[43] Two miraculous cures and one vision are in the extant manuscript, namely the cures of the (probably) scrofulous woman and a blind man, and Edward's deathbed vision of the green tree.[44] A third cure is prefaced similarly to the corresponding cure in Osbert's vita. Barlow interpolated three cures and one vision from other sources, namely the cures of an unnamed blind man of Lincoln, Wulfwi Spillecorn, also blind, another four blind beggars, and the vision of the Seven Sleepers of Ephesus.[45] The anonymous vita ends with an assertion of Edward's sanctity:

> Having revealed him as a saint while still living in the world [...] at his tomb likewise merciful God reveals by these signs that he lives with him as a saint in heaven. For at the tomb through him the blind receive their sight, the lame are made to walk, the sick are healed, the sorrowing are refreshed by the comfort of God.[46]

[40] The *locus classicus* for this is C. Warren Hollister and John W. Baldwin, 'The Rise of Administrative Kingship: Henry I and Philip Augustus', *American Historical Review*, 83 (1978), 867–905.

[41] Barlow, 'King's Evil', p. 10.

[42] Barlow, *VÆd*, p. xl.

[43] Barlow, *VÆd*, pp. xl–xlii.

[44] Anon., *VÆd*, pp. 92–95, 94–97, 116–19.

[45] Anon., *VÆd*, pp. 96–111.

[46] Anon., *VÆd*, pp. 126–27: 'Reuelatum [...] sanctum adhuc uiuentem in mundo, ad eius quoque tumbam propitia deitas his signis reuelat sanctum uiuere secum in celo, cum obtentu eiusdem ibi illuminantur cęci, in gressum solidantur claudi, infirmi curantur, merentes consolatione dei reperantur.'

William largely followed the Anonymous's miraculous and visionary portfolio.[47] Osbert's additional miraculous episodes move attention to Westminster:[48] five *in vita* Westminster-oriented miracles do not appear in the extant Anonymous, while four out of the five added posthumous miracles are Westminster related. The additional in vita miracles concern Edward's vision in Westminster of Svein's death, Ulsinus's vision in which St Peter urges Edward to restore Westminster, the first of Edward's cures to be recounted, which has the King carrying Gillomichael the cripple from the palace to Westminster's altar,[49] and the joint vision in Westminster of Edward and Leofric.[50] Four posthumous miracles — the cures of Ralph the cripple, seven blind men, and another blind man, and an episode in which Edward lends supernatural support to Wulfstan of Worcester as he is about to be deposed — are all at Westminster, as, of course, is the 1102 opening of Edward's tomb.[51] There is but one non-Westminster posthumous miracle, in which Edward appears in a vision to an abbot whom he instructs to assure King Harold of imminent victory at Stamford Bridge.[52]

Aelred largely followed Osbert in his relation of Edward's miracles but inserted another prophecy (relating to Godwin's sons), Godwin's death (presented as a kind of divinely sponsored death-by-ordeal), and a validation from John the Evangelist into the account of Edward's lifetime,[53] and added five posthumous miracles. These feature a girl who scoffed at Edward's cult and the cures of Osbert, a knight, a nun, and a monk.

That nine of the ten supernatural episodes added by Osbert are Westminster-oriented concurs with his concern to establish a Westminster cult.[54] Edward's first cure in Osbert's vita is not of the woman but of the crippled Gillomichael, which

[47] William, *GRA*, I, 406–15.

[48] This is also noted by Barlow, *VÆd*, p. xxxvi; Jones, '*Anglorum basileus*', p. 119.

[49] Osbert, *VEad*, pp. 75–77, 80–83. Two chapters follow, which do not treat of Edward's supernatural powers, but relate the miraculous original dedication of Westminster and communication between Edward and the papacy.

[50] Osbert, *VEad*, pp. 91–92.

[51] Osbert, *VEad*, pp. 112–14, 116–20, 121–23.

[52] Osbert, *VEad*, pp. 114–15.

[53] Aelred, *Life*, pp. 72–75, 81–84; *VEd*, cols 765–67, 769–70.

[54] See also Frank Barlow, *Edward the Confessor*, 2nd edn (New Haven: Yale University Press, 1997), pp. 272–76; Huntington, 'Edward the Celibate'.

forms part of a cluster of Westminster-based activity.[55] The first cure's position underlines the connection between Westminster and St Peter — Westminster's patron — as it appears after Osbert's account of Pope Leo IX's approbation of Edward as king, confirmed by a vision in which Peter instructed Edward, via a hermit, to become Westminster's patron.[56] Gillomichael's cure is given a still stronger Westminster connection by his assertion that it was Peter who directed him to Edward. What is of more interest here is how Edward's miraculous activity is situated within the other vitae.

In the anonymous vita, the alleged Royal Touch miracle is prefaced by an assertion that Edward, with *castimonia*, lived his life dedicated to God in *innocentia*. The early construction of Edward's chastity/virginity has been traced elsewhere — for Osbert, Edward's virginity was situated in his corpse, whereas for Aelred, that virginity was lived and performative [57]— but further observations may be made here. With this miracle, Edward — (in)famously childless — not only cures the woman but also miraculously renders her fertile. The Anonymous thus created for Edward a 'substitute'-fertility, which leads into his other miraculous activity. Aelred's treatment of Edward's virginity, however, is more puzzling. The political consequences of Edward's failure to leave an uncontested heir are well known, and provision of such an heir was important for a good king. Why, then, did Aelred address a model of lived virginity to Henry? The key to solving this puzzle lies in how Aelred rewrote Edward's other miraculous activities.

Many of Edward's cures were of blind people, a specialization which was by no means unique,[58] but which Aelred nonetheless highlighted as significant. In his prefatory letter, Osbert pleaded Edward's cause: 'raise up onto a candlestick our light, which has long been hidden in the dust.'[59] Matthew Kempshall has pointed to a motif according to which 'a lantern on a lamp stand signifies the ruler, its flame the light of learning'.[60] Osbert, however, did not dwell on Edward as either

[55] Osbert, *VEad*, pp. 82–83.

[56] Osbert, *VEad*, pp. 79–82.

[57] Huntington, 'Edward the Celibate', passim.

[58] See, for example, the miracles of Æbbe and Margaret, ed. Robert Bartlett, *The Miracles of Saint Æbbe of Coldingham and Saint Margaret of Scotland* (Oxford: Clarendon, 2003), pp. xxiii, xxxix.

[59] Osbert, *VEad*, p. 65: 'super candelabrum erige que diutius latuit in puluere lucernam nostram.'

[60] Matthew Kempshall, 'No Bishop, No King: The Ministerial Ideology of Kingship and Asser's *Res Gestae Aelfredi*', in *Belief and Culture in the Middle Ages: Studies Presented to Henry*

light or illuminating ruler in his vita. Notwithstanding, there was sufficient emphasis on light, blindness, and sight for Aelred to develop it as a leitmotiv.[61] Aelred's Edward, like Osbert's, is a light: 'that brilliant luminary the glorious King Edward shone like the morning star in a cloudy sky, like the moon at its full all his days'.[62]

Moreover, Aelred places in the foreground Edward's giving sight to the blind at several points. He explicitly attributed Edward's clairvoyancy to his chastity:

> [S]ure witness to the king's chastity is borne by his pure mind, for, drained of all the dregs of pulsating vice, and detached, it could regard present things and know future things, more or less as if they were placed before his eyes.[63]

Throughout, as Aelred referred to Edward's miraculous cures, he stressed curing the blind.[64] Thus, for example, he prefaced Edward's first cure: 'He has done wonderful things in his lifetime, restoring sight to the blind, steps to the lame; dispersing fevers, healing the paralytic and curing the different ills of mankind'.[65] Note that neither *scrofula* nor *morbus regius* feature in this repertoire. Similarly, as Aelred opened the second book of his vita, in which he catalogues Edward's posthumous miracles, he referred to: 'the power which remained in his limbs erupted into miracles, [...] as he restored sight to the blind, walking to the lame and health to the sick.'[66] Clearly Aelred considered healing the blind to be Edward's speciality. He prefaced the account of the cure of the blind man on All Saints' Eve thus:

Mayr-Harting, ed. by Richard Gameson and Henrietta Leyser (Oxford: Oxford University Press, 2001), pp. 106–27 (p. 109).

[61] See also his choice of Luke 11. 33 for his sermon at Edward's 1163 translation, Walter Daniel, *Vita Ailredi*, trans. by F. M. Powicke (London: Nelson, 1950), p. 41.

[62] Aelred, *Life*, p. 16; 'qui quasi stella matutina in medio nebulæ, et quasi luna plena in diebus suis luxit': *VEd*, col. 738.

[63] Aelred, *Life*, p. 36; 'Præbet certe regiæ castitati testimonium puritas mentis, quæ ab omni fæce vitii pulsantis eliquata, et longe posita quasi præsentia contemplari et futura potuit quasi præ oculis sita cognoscere, sicut sequens capitulum declarat': *VEd*, col. 748.

[64] Aelred Squire also noted Aelred's emphasis on Edward's specialization in curing the blind, adding (very briefly) that this jars with Bloch's model of the Royal Touch, *Aelred of Rievaulx: A study*, 2nd edn (London: S.P.C.K., 1981), p. 97, p. 166, n. 93.

[65] Aelred, *Life*, p. 47; 'Fecit enim mirabilia in vita sua, reddens cæcis visum, et claudis gressum, fugans febres, et paralyticos sanans et diversas hominum valitudines curans': *VEd*, col. 754.

[66] Aelred, *Life*, p. 96; 'vis enim quæ latebat in membris erupit in miraculis, quoniam dum cæcis visum, claudis gressum, infirmis sanitatem restituit': *VEd*, col. 775.

> While it was the gift of healing that our most Christian king received in special abundance from the Spirit of God, he was particularly distinguished by the special grace of giving sight to the blind, because, as it was believed, of his inner purity. As his singular cleanness kept the gaze of his heart clear, just so did he dispel darkness from the outward eyes of others.[67]

So, Edward's specialization in curing the blind and his access to prophecy and clairvoyancy stem from his purity. Aelred elaborated further on this connection between Edward's speciality cure and his sanctity when concluding the miracle of the three blind men and the one-eyed man:

> I have written enough for the moment about the blind being restored to sight, so let this last tale of the miracle of seven lights make us mindful that the holy king was filled with the grace of the sevenfold spirit. The spirit of the fear of the Lord opened his eyes to humility and drove away the darkness of pride; the spirit of piety washed away the blindness of unbelief and poured the light of faith into him; the spirit of knowledge drove away the darkness of error and made him shine with the light of truth; the spirit of fortitude made him stronger than all his enemies both temporal and spiritual; the spirit of counsel dispelled clouds of ignorance and gave him the light of discernment; the spirit of understanding brought him from earthly things to heavenly, from physical to spiritual, from the night of this world to the contemplation of the lights of heaven; and the spirit of wisdom fortified him with the grace of prophetic insight and knowledge of the divine will. It was in short fitting that he filled the outward eyes of men with a sevenfold light, driving out their darkness, for he had deserved to be inwardly enlightened by the seven lights which are seen in the expanse of the heavens.[68]

[67] Aelred, *Life*, p. 64; 'Hoc præcipue munus curationum licet plenius per Dei Spiritum rex Christianissimus habuisset, in illuminandis tamen cæcis speciali gratia præfulgebat, ob interioris, ut creditur, hominis puritatem, ut cui munditia singularis defæcaverat cordis obtutus, ipse in aliis exteriorum propelleret tenebras oculorum': *VEd*, col. 762.

[68] Aelred, *Life*, pp. 70–71; 'Hæc de cæcis quibus visum restituit, interim scripsisse sufficiat, ut in hoc ultimo miraculo quo de lucernis septem, fecimus mentionem, regem sanctum septiformi Spiritus sancti gratia doceamus esse repletum; cui spiritus timoris Domini, depulsis superbiæ tenebris, humilitatis oculum reseravit; cui infidelitatis cæcitate detersa, fidei lumen spiritus pietatis infudit; quem spiritus scientiæ, fugata caligine falsitatis, lumine veritatis illustravit; quem spiritus fortitudinis cunctis tam corporalibus quam spiritualibus reddidit hostibus fortiorem; qui tenebris ignorantiæ pulsis, per spiritum consilii lumen discretionis obtinuit; quem de terrenis ad cœlestia, de corporalibus ad spiritualia, de nocte mundi hujus ad contemplationem cœlestium luminum spiritus transtulit intellectus; quem propheticæ lucis gratia, et divinorum cognitione consiliorum spiritus sapientiæ muneravit. Merito proinde luce septemplici exteriores hominum oculos depulsa cæcitate perfudit, qui septem oculorum lumine qui in agro cœlesti visi sunt interius illustrari promeruit': *VEd*, col. 765.

In Aelred's vita, then, we see Edward as a ruler illuminating his people. This quality was not only an aspect of his rulership and his lived sanctity, but it was also a means of propagating that sanctity: 'Thus seven lights, shining on the brows of four men, rendered our Edward more brightly shining for all generations.'[69] That it continued after his earthly rulership is stated in Aelred's preface to Edward's posthumous cure of six blind men and a one-eyed man: 'We have described how the blessed Edward had a special power to enlighten the blind while he was yet alive, and the following chapter will show that the intervention of death had not deprived him of it'.[70]

It is this which renders it possible to make sense of the apparently confusing implications of a text which lauds virginity being presented as a model to a king, whose job description should surely entail procreation. Edward's virginity in itself was not to be directly emulated by Henry II. It was rather a means to an end, namely creating Edward as an illuminating ruler, leading his people to light. It was *this* that Henry was to emulate, which was but another aspect of the peaceful rulership for which he was to strive. This suggestion is corroborated by the authors' successive treatments of Edward's deathbed vision of the green tree.

In this vision, two monks whom Edward knew in Normandy appear to him and foretell a period of divine punishment for the realm. When Edward aks when the punishment may end, they reply:

> A certain green tree was cut from its stump and removed three furlongs from its own roots; when it returns to its stump, with no hand of man to urge, or necessity to drive, and sets itself on its ancient root, when the sap flows again, and it blossoms once more and produces fruit, then there will be some hope of comfort in this sorrow, and a remedy for the disaster we have predicted.[71]

The vision itself is much the same in all the treatments, but the authors' interpretations of it differ. For the Anonymous, Osbert and William, the

[69] Aelred, *VEd*, col. 765: 'Ita septem lucernæ ex virorum quatuor fronte lucentes, Edwardum nostrum clariorem cunctis sæculis reddiderunt.'

[70] Aelred, *Life*, p. 98; 'Diximus beatum Edwardum specialem In illuminandis cæcis dum adviveret habuisse virtutem, hanc ei gratiam morte interveniente non esse subtractam sequens capitulum declarabit': *VEd*, col. 777.

[71] Aelred, *Life*, p. 89; 'Arbor quælibet viridis a suo trunco decisa ad trium jugerum spatium a radice propria separetur, quæ cum nulla manu hominis cogente, nulla urgente necessitate, ad suum truncum reversa in antiquam radicem sese receperit, resumptoque succo rursum floruerit et fructum fecerit, tunc sperandum est aliquod in hac tribulatione solatium, et de ea quam prædiximus adversitate remedium': *VEd*, col. 773.

potential remedy offered by the vision appeared to be impossible. England was doomed to divine punishment without an end in sight.[72] Aelred, however, stated that the end *was* in sight, in the person of Henry II:

> The tree symbolises the kingdom of England [...]. The root [...] was the royal seed, which descends from Alfred [...] to Saint Edward. 'The tree was cut from its stump' when the kingdom was taken from the royal family and given to another seed[...]. 'The tree returns to its stump' when the glorious King Henry [...] took as wife Matilda, the great-niece of Edward [...] thus joining the English and Norman lines and by the consummation of his marriage making the two [lines] one. 'The tree blossomed' when the Empress Matilda was born from the two lines, 'and it bore fruit' when from her arose our Henry, like the morning star, like a cornerstone joining together the two nations.[73]

This echoes Aelred's reference in the prologue to Henry II as the cornerstone (*lapis angularis*) of the English and Normans.[74] Aelred's theme of reconciliation has been noted before,[75] but this suggests that he was also recrafting Edward's miracles further to bolster his point.

This notion is embodied in the preamble to the first posthumous miracle that he introduced into Edward's vita, which places Edward in a tradition of an Old Testament-, New Testament-, and Christ-endorsed peaceful mission to the

[72] Anon., *VÆd*, pp. 118–23; Osbert, *VEad*, pp. 108–10; William, *GRA*, I, 414–17. According to William, hopes that the prophecy might be fulfilled in Henry I's son, William, were dashed by his untimely death (I, 758–59). See also Barlow, *VÆd*, pp. 131–32; Emma Mason, 'St Wulfstan's Staff: A Legend and Its Uses', *Medium Aevum* 53 (1984), 157–79 (p. 161).

[73] Aelred, *Life*, p. 91; 'Arbor hæc regnum Anglorum significat [...]. Radix [...] semen fuit, quod ab Alfredo [...] ad sanctum Edwardum descendit. *Abscisa est arbor a trunco*, quando regnum a genere regali divisum, ad aliud semen translatum est.[...] *Accessit ad radicem arbor*, quando gloriosus rex Henricus [...] abneptem Edwardi Mathildem duxit uxorem, semen regum Normannorum et Anglorum conjungens, et interveniente opere conjugali de duobus unum faciens. *Floruit sane arbor*, quando de utroque semine imperatrix Mathildis processit. *At tunc fructum fecit*, quando de ipsa noster Henricus velut lucifer matutinus exoriens, quasi lapis angularis utrumque populum copulavit': *VEd*, cols 773–74.

[74] Aelred, *Life*, p. 16; *VEd*, cols 738–39.

[75] See, for example, Dutton, 'Ælred, Historian', p. 117; Lawyer, 'Aelred of Rievaulx's *Life of St. Edward*'. On Aelred's concern with peace-making, see Paul Dalton, 'Churchmen and the Promotion of Peace in King Stephen's Reign', *Viator*, 31 (2000), 79–119, especially 109–18. Ian Short, '*Tam Angli quam Franci*: Self-definition in Anglo-Norman England', *Anglo-Norman Studies*, 18 (1995), 153–75, has also identified Aelred's treatments of the green tree and of Henry as cornerstone/morning star as ingredients of Aelred's reconciliatory theme (pp. 170–72).

people. The miracle concerns a servant who scoffs at Edward, and is consequently paralyzed, taken to Edward's tomb, duly forgiven and cured. This is prefaced thus:

> The holy prophet Elisha was mocked by more than forty little boys, and avenging his wrong with a curse, abandoned the whole lot to be punished by beasts. St Peter condemned the impious magician Elymas to sudden blindness, because he had blasphemed the apostles. Christ himself declares that an injury to one of his saints redounds onto himself, for he said 'He who hears you hears me, and he who rejects you rejects me.' This too the Lord Jesus shows to his Edward, punishing with great strictness those who detract from his sanctity, and rewarding with many benefits those who revere him.[76]

The reference to Elisha provided an Old Testament justification for Edward's smiting of the girl.[77] Aelred then turned to the New Testament, referring to Elymas, the Jewish sorcerer who tried to thwart the attempts of Peter and Barnabas to convert a proconsul to Christianity.[78] Peter duly cursed Elymas with blindness. Finally, Aelred refers to Christ's conferral of the power of healing on the apostles after which he enjoined them to go out into the world on a mission of peace, preaching and healing.[79] This passage, then, melds Old Testament smiting, New Testament smiting, and Christ endorsing Edward's saintly authority, in the context of an explicitly peaceful mission, and shows Aelred successfully manipulating Edward's legend to better promote his overall message.

The earliest reworkings of Edward's legend may be seen, therefore, as less concerned with whether he deployed the Royal Touch than were later proponents of the custom. That attribution could wait for later, when the conflation of eye disorders and scrofula did not debar Edward from being seen as possessing the Royal Touch. Instead, Osbert and Aelred rewrote Edward's saintly power in order to reflect their immediate priorities, in Osbert's case, establishing the authority of Westminster Abbey and, in the case of Aelred, shaping royal authority in order to re-establish harmony within the realm. The miraculous portfolios with which

[76] Aelred, *Life*, p. 110; 'Sanctissimus Eliseus propheta a pueris plus quadraginta derisus, sua maledictione ultus injuriam, universos bestiis tradidit puniendos. Magum impiissimum Helymam apostolos blasphemantem beatus Paulus subita cæcitate damnavit. Injuriam igitur sanctis suis illatam in se redundare Christus declarat: *Qui vos,* inquiens, *audit me audit, et qui vos spernit me spernit*. Hoc in suo Dominus Jesus ostendit Edwardo, ejus detrahentes sanctitati cum magna severitate puniens, obsequentes ei beneficiorum collatione remunerans': *VEd*, col. 783.

[77] II Kings 2. 23–24.

[78] Acts 13. 6–12.

[79] Luke 9. 1–2.

they provided Edward need to be considered in their entirety, and were inextricably intertwined with their concerns. In order to move toward a better understanding of both Edward's saintly power and the models of authority toward which it was deployed over time, it is necessary to avoid anachronistically conflating the concerns of later reinterpretations of his legend with those of his earliest biographers.

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